THE BLACK PANTHER

INTERCOMMUNAL NEWS SERVICE

PUBLISHED WEEKLY BY THE BLACK PANTHER PARTY

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Still Stonewall On George Jackson Assassination

F.B.I. SPIED ON S.Q. 6 TRIAL

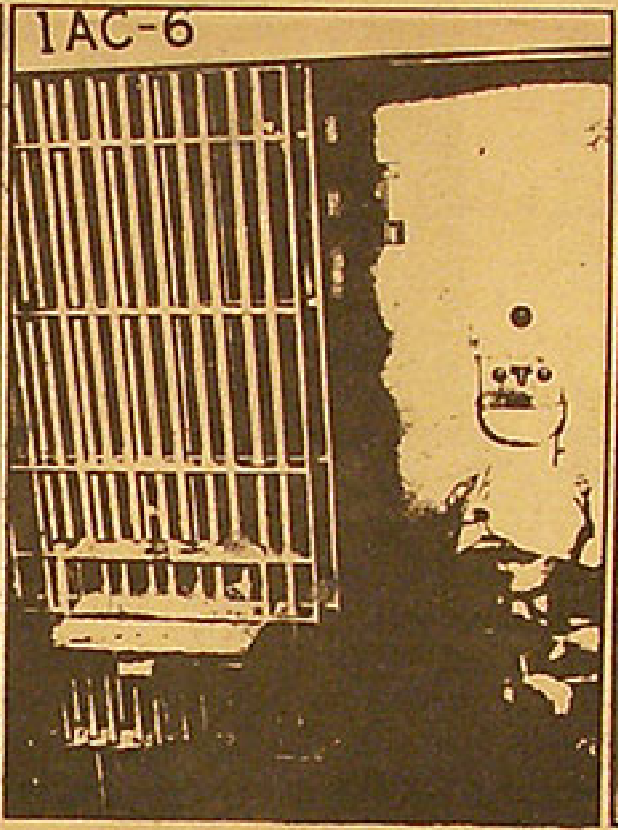
(San Francisco, Calif.) - FBI documents recently released to an investigator for one of the attorneys in the San Quentin 6 case have disclosed that the federal police bureau maintained a covert surveillance of the history-making trial from beginning to end, using several informants to gather information which was later distributed to nervous law enforcement agencies in California.

The documents, sent to Ms. Patricia Richartz, an investigator for noted Black Panther Party counsel Charles R. Garry, as part of her personal files as requested under the Freedom of Information Act, are the first known federal police documents bearing on the San Quentin 6 case, six Black and Brown prison inmates falsely indicted as part of the cover-up of the assassination of author/revolutionary George Jackson on August 21, 1971. Garry represented BPP member Johnny Larry Spain in the case.

According to the documents received by Ms. Richartz, the FBI evidently maintains dossiers on each of the six defendants — Spain, David Johnson, Willie Tate, Fleeta Drumgo, Luis Talamentez and Hugo Pinell — as well as numerous supporters who attended the Marin County proceedings.



BPINS photos





JOHNNY SPAIN, GEORGE JACKSON, and George's cell, AC-6, in San Quentin Adjustment (center).

The case set several criminal court standards, comprising the longest jury selection (over 1,200 prospective jurors questioned), the longest trial (close to 18 months) and the longest jury deliberations (33 days) in California history. Jury selection began on March 25, 1975, and the proceedings lasted until trumped-up convictions were handed down against Spain and Pinell on August 12, 1976.

CONTINUED ON PAGE 6

A BLACK PANTHER Public Service On "Freedom Of Information Act"

HOW TO GET YOUR F.B.I. FILES

Information for the following BLACK PANTHER public service was obtained from a pamphlet published by the Project on National Security and Civil Liberties, jointly sponsored by the Center for National Security Studies and the ACLU Foundation.

SAC, San Francisco 5/11/70
Director, FBI

COUNTERINTELLIGENCE AND SPECIAL OPERATIONS
(RESEARCH SECTION)

The Bureau would like to offer for your consideration a proposal for a disruptive-disinformation operation targeted against the national office of the Black Panther Party (BPP). This proposal is not intended to be all inclusive or binding in any of its various phases, but only is a guide for the suggested action. You are encouraged to submit recommendations relating to revisions or innovations of the proposal.

1. The operation would be effected through close coordination on a high level with the Oakland or San Francisco Police Department.

Portion of FBI document detailing COINTELPRO treachery against the Black Panther Party.

USING THE FREEDOM OF INFORMATION ACT

Under the Freedom of Information Act as amended, you can request your personal records from government agencies that conduct surveillance on American citizens and other individuals in the United States. There are over 100 government agencies which have some sort of intelligence function, and you may make requests of any of those which are *federal* (the amended Act does not apply to state or local agencies). Several agencies that have admitted to conducting illegal investigations of American citizens may be of particular interest. These include the CIA, the FBI, the Justice Department, the Civil Service Commission, the Secret Service, and the Internal Revenue Service.

MAKING THE REQUEST

Using the Act is simple. Begin by writing a letter to each agency from which you want to request your records. Your letter should initially indicate that it is a request under the Freedom of Information Act as amended: Section 552 of Title 5, United States Code. (See sample letter, back page.)

You should then state that you are requesting records stored under your name, or returnable by a search for documents

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Editorial

1978–LIBERATION OF SOUTH AFRICA

(The following guest editorial is excerpted from the Sunday News *of Tanzania.)*

If we in Tanzania could declare the year 1974 the year of African Liberation, then we might as well declare the year 1978 the year of the liberation of southern Africa. Before the year is out, Namibia and Zimbabwe should be independent, and "the chickens will have come home to roost" in South Africa.

In Zimbabwe, the freedom fighters have already won important victories. Militarily, the freedom fighters are now operating freely inside Zimbabwe.

It is now obvious that despite the rantings of Ian Smith, despite his desperate actions against Mozambique, Zambia and Botswana, the minority regime has already lost the war.

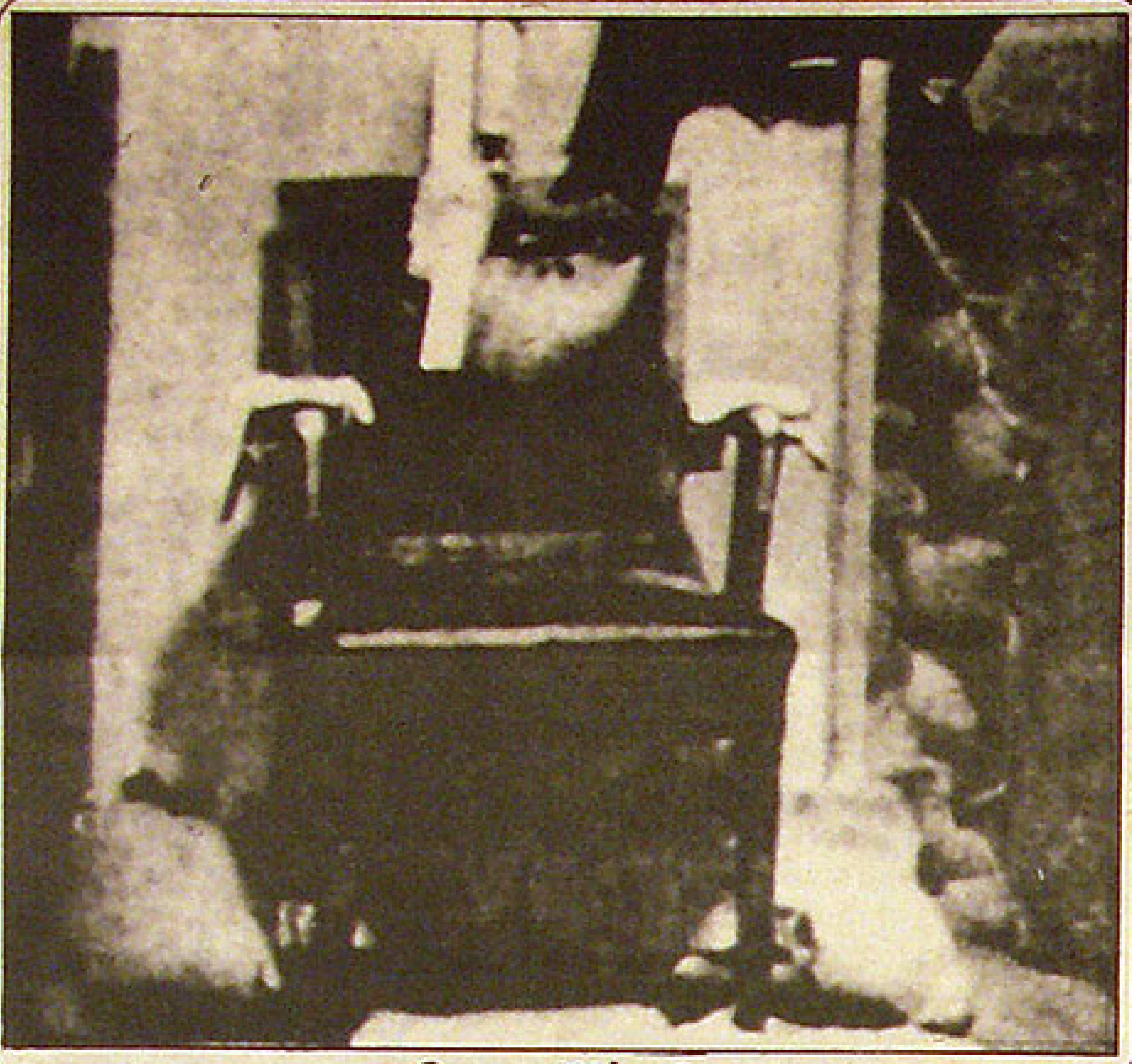
The year 1978 will witness the realization of freedom in Zimbabwe if the freedom fighters will now move politically to remove loopholes within themselves — and thus to get rid of the excuses the minority regime is using to try to rob the people of their important victory.

In Namibia, the freedom fighters, united under SWAPO, have also won important victories. Militarily, the freedom fighters have now deeply entrenched themselves in the country forcing the enemy into the defensive every day. The myth of the invincibility of the South African military machine was shattered in Angola, and is now being buried in Namibia.

In South Africa itself, the year 1978 is likely to see the intensification of the resistance movement — the class struggle — in the urban areas, the perfection of underground organization, the polorization of White-Black relations and the continued isolation of South Africa from the world community.

Unity among the freedom fighters, among the Frontline States, among the progressive and nationalist forces of Africa — in close alliance with the progressive forces of the whole world, especially the socialist community — is essential for the victory of the people everywhere.

It is particularly so in southern Africa, which in 1978 is going to be the major storm center in the global struggle for liberation. □



Gary Who?

"Fallen Comrades"



ALPRENTICE "BUNCHY" CARTER



JOHN JEROME HUGGINS

Assassinated: January 17, 1969

Within minutes of the ruthless assassination of Alprentice "Bunchy" Carter and John Jerome Huggins by the reactionary US organization on January 17, 1969, the Los Angeles Police Department swooped down on the houses of other members of the Southern California Chapter of the Black Panther Party in the hopes of wiping out the organized people's movement, sweeping like wildfire through the Black and oppressed community. But even in death, "Bunchy" and John proved stronger than the fascists and their cowardly lackies. The illuminating truth of the message they so diligently sought to implant in our consciousness shone bright in the dark shadows of their absence; "The Example" of their lives, of beauty, courage and strength disciplined and directed in the cause of liberation was too majestically real, too magnificent and powerful not to be heeded and cherished by freedom-loving people forever. Long live the spirit of Alprentice "Bunchy" Carter and John Jerome Huggins! Long Live the People's Struggle!!

ALL POWER TO THE PEOPLE

Notice

A court hearing for **BPP President HUEY P. NEWTON** will be held **January 23, at 9:30** in the ALAMEDA COUNTY SUPERIOR COURT, 14th and Fallon Sts., in the courtroom of JUDGE ALLAN BROUSSARD. If you are able, be sure to attend.

COMMENT

The New Racism

The following perceptive commentary was written by Joel Dreyfuss, a Bay Area-journalist and a frequent contributor to Pacific News Service *and* Black Enterprise *magazines.*

Shortly after the highly successful showing of *Roots*, author Alex Haley revealed what he wanted most was a dialogue on race relations, a subject that had somehow become taboo after the death of Martin Luther King, Jr. It had been submerged by the law and order rhetoric of the Nixonian era and the national fatigue with civil rights and Black nationalism. Like many Blacks, Haley was aware that much still remained unresolved around the persistent American dilemma of color.

The public showered Haley with fame and fortune but would not grant his most ardent wish. Race was simply an unfashionable issue and it might well have remained on the back burner but for two events: the looting in New York during last July's blackout and the Bakke "reverse discrimination" case. The result was more a racial monologue than a dialogue. Few Blacks were able to join in the discussion. Once again, White intellectuals were taking aim at the issues of race and equality.

What became clear, however, was that the national sentiment had turned against Black aspirations. The polls disclosed strong negative feelings about Black goals, little change in stereotyped attitudes and a growing willingness of Whites to publicly downgrade the abilities of Blacks.

If "law and order" were the code words of the 1960's, the New Racism of the 1970's is constructed on words like "merit," "quotas" and "qualifications."

Opposition to full equality for Blacks is an American tradition. Our folklore is filled with terrifying images of whips, chains, nightriders and lynchings. In recent years, there has been violence over busing and neighborhood integration. Such images are concrete and the villains easy to identify, but the enemy in the 1970's is much more subtle

CONTINUED ON PAGE 12

THE BLACK PANTHER

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CHARLES GARRY, DANIEL ELLSBERG, BILL WAHPEPAH AT S.F. RALLY

"STOP S. 1437"



(San Francisco, Calif.) - Close to 200 people came out in the pouring rain here last Tuesday, January 17, at the federal building to voice their opposition to the repressive proposed new federal crime code legislation, S. 1437, which is scheduled to be voted upon in the Senate this week.

The bill, introduced by Senator Ted Kennedy and the late arch-conservative Senator John McClellan, is merely a thinly disguised version of S.1, which was defeated last year due to a massive public outcry against it. The proposed bill is the latest effort in a 10-year process to revise the Federal Criminal Code and is a determined attempt to erode the civil liberties of U.S. citizens.

The sponsors of last Tuesday's demonstration, the Bay Area Coalition to Stop S.1437, includes such organizations as the American Civil Liberties Union, Citizens' Commission on Human Rights, Union of Democratic Filipinos (KDP), the Native American Solidarity Committee, the National Committee to End Repressive Legislation and the Black Panther Party.

All of the speakers at the rally — who included author Daniel Ellsberg, American Indian Survival School Director Bill Wahpepah, attorney Charles Garry and others — warned of the impending dangers of S.1437 and urged concerned individuals and organizations to immediately mobilize to oppose the repressive bill.

Daniel Ellsberg, who helped to expose the treachery and lawlessness of the U.S. involvement in Southeast Asia through his best-seller, *The Pentagon Papers*, reminded the crowd that public protest and opinion played a major role in ending the Vietnam War and that the rights to freedom of speech and assembly are the cornerstones to democracy.

Ellsberg pointed out that S.1437 is an direct attack upon these rights and must be opposed with the same commitment as the fight against the Vietnam War. The author, the victim of constant harassment from federal authorities since the publication of *The Pentagon Papers*, held up a copy of the bill, which is over 1,000 pages, and warned that certain sections are extremely dangerous to the freedoms of the American people.

Bill Wahpepah, speaking for the American Indian Movement (AIM), focused on another but equally dangerous proposed bill, H.R.9054. H.R.9054, the so-called "Native American Opportunity Act," provides not only for the abolishment of all treaties entered into with Indian tribes by the U.S., but also for the abrogation of all rights and protections guaranteed to Indian people by these treaties, such as the rights to hunt and fish. In effect, it will terminate all federal protections of Native American people.

Wahpepah warned that if H.R.9054 is allowed to become law, "the great land grab" of Indian territory will begin once again. Energy companies are already eyeing Indian reservations in the Southwest since they contain a huge portion of the nation's uranium and natural gas reserves. Wahpepah stressed that progressive people must get rid of their petty differences to oppose both H.R.9054 and S.1437, both of which have serious implications.



American Indian Survival School Director BILL WAHPEPAH, author DANIEL ELLSBERG, and attorney CHARLES GARRY were featured speakers at the San Francisco rally to stop S.1437.

Charles Garry's speech was greatly abbreviated by the pouring rain but the hard-fighting progressive attorney, noted for his defense of Black Panther

CONTINUED ON PAGE 8

S.1566 WOULD BROADEN "NATIONAL SECURITY" WIRETAPS

Lobby Effort Combats New Repressive Legislation

(Washington, D.C.) - The American Civil Liberties Union (ACLU) is building support for an intensive lobbying effort to combat repressive legislation which the U.S. Senate will soon vote on that would broaden federal authority to conduct "national security" wiretaps.

The ACLU campaign is directed at S.1566, known as the "Foreign Intelligence Surveillance Act of 1977," and House action on a a companion bill, H.R. 7308, which is expected soon thereafter.

The civil liberties group emphasizes that the wiretap bill is doubly dangerous. First, it would permit wiretapping of citizens engaged in activity not prohibited by law for intelligence purposes. Second, the bill would set a dangerous precedent for general "charter" legislation to restrict intelligence activities which the Congress will take up in the near future.

Most intelligence investigations are not governed by statutory law. The ACLU supports legislation to prohibit such investigations on the principal that the government has no authority to investigate lawful political activity. If the wiretap bill passes, spy agencies will have unprecedented authority to employ the most intrusive surveillance techniques against citizens not engaged in any criminal activity. Instead of a restrictive intelligence charter, the legislation gives unwarranted power to the FBI and CIA.



Undercover police officers. Under S.1566 and its companion bill, H.R. 7038, federal authority to conduct "national security" wiretaps will be broadened.

During the current second session of the 95th Congress, the ACLU warns to expect:

- an attempt to enact both S.1566 and H.R. 7308;
- the Senate to vote on Senate Resolution 207 to publish the total budget of the intelligence community;
- The Senate Intelligence Committee to introduce and hold hearings on intelligence agency

CONTINUED ON PAGE 6

SOCIAL SCIENCE PROGRAM

OAKLAND COMMUNITY SCHOOL- A MODEL IN ACTION

In Part 5 of our ongoing series on the model elementary level Oakland Community School (OCS), the Social Science program is featured.

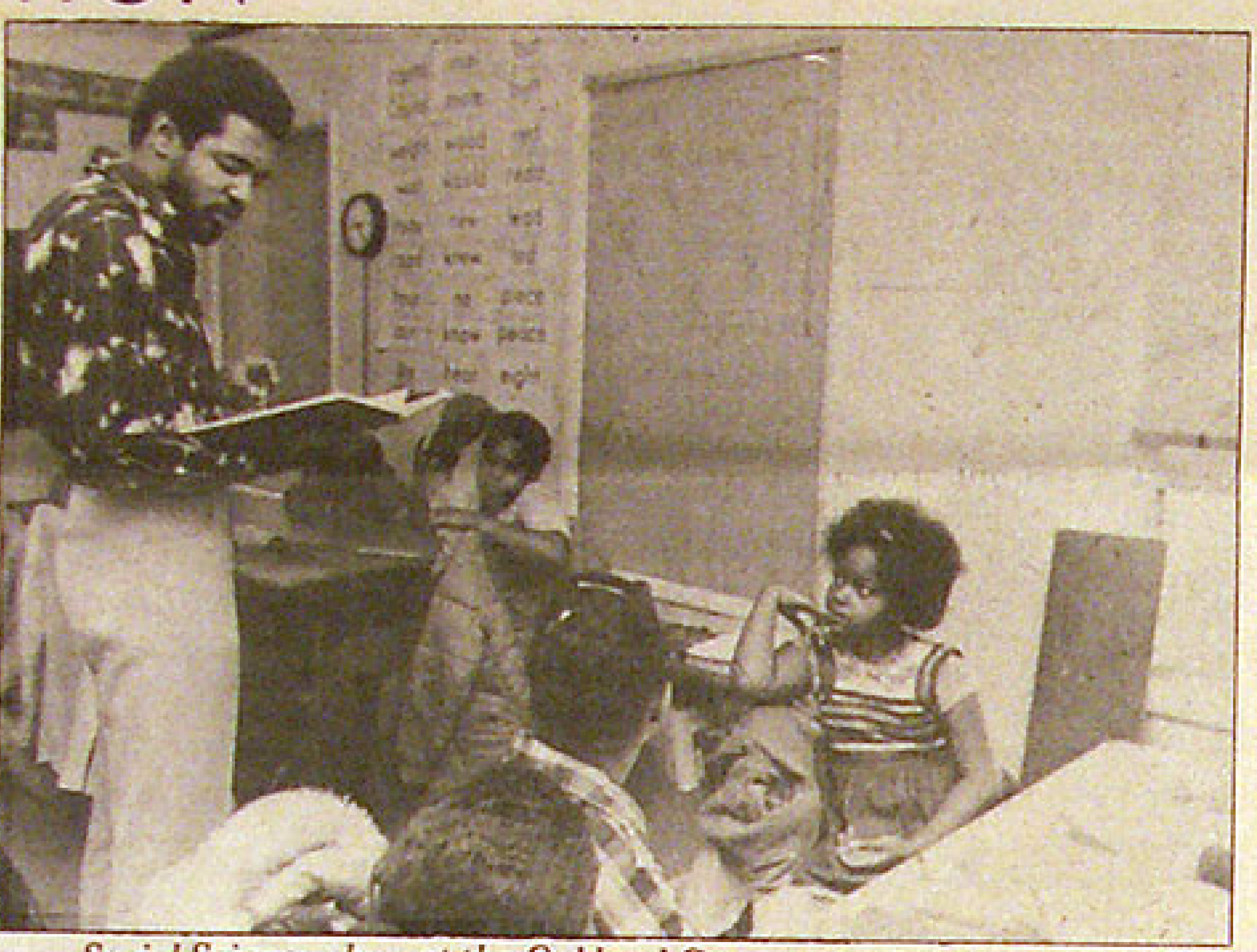
PART 5

(Oakland, Calif.) - Black and other poor minority people in the U.S. are the victims of an historical blackout due to the public school system's deliberate distortion and, in many cases, omission of their key role in the making of America.

The following description of the goals of the Oakland Community School Social Science curriculum — which includes the study of geography, American history, world history, societies and economics — shows that the East Oakland school is attempting to make social science, the study of communities and their institutions meaningful for its predominantly Black and poor children:

"Social science is the study of social arrangements, i.e., the societies which make up the world, the people who form these societies and the land they inhabit.

"The Social Science curriculum covers these areas from a current, historical and futuristic sense. It will provide a basis for our children to discover the *facts* which reveal the different kinds of societies which man has developed" and will help them "in formulating their own conclusions about America and the world."



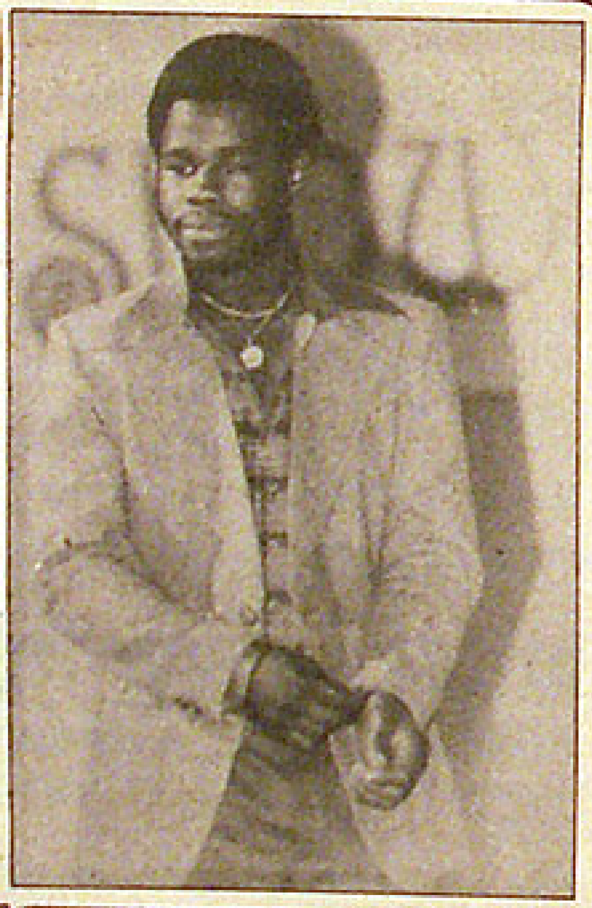
Social Science class at the Oakland Community School.

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Fashion Show At O.C.L.C. Forum







The Oakland Community Learning Center Teen Club was at it again as they sponsored a dazzling Teen Fashion Show last Sunday at the OCLC auditorium.

A very receptive audience was also treated to a performance by a skillful young dance troupe, Max's Place.









This Week In Black History

January 13, 1970

On January 13, 1970, three Black Soledad Prison inmates, Cleveland Edwards, Alvin Miller and W.L. Nolen, were murdered in cold blood in the prison's exercise yard. A fight had broken out between White and Black prisoners during the exercise, and a guard in one of the prison's guntowers, an expert marksman, opened fire.

Afterwards, the three Black inmates lay mortally wounded while none of the White inmates were harmed.

Three days later, a Monterey County, California, grand jury ruled that the three murders were "justifiable homicide." A short time later, a prison guard was killed, which led to prison author-revolutionary George Jackson and two other inmates being charged with murder. This murder charge led to the Black Panther Party Field Marshal's transfer to San Quentin Prison, where he was assassinated on August 21, 1971.



JIMMY ESSEX

January 7, 1972

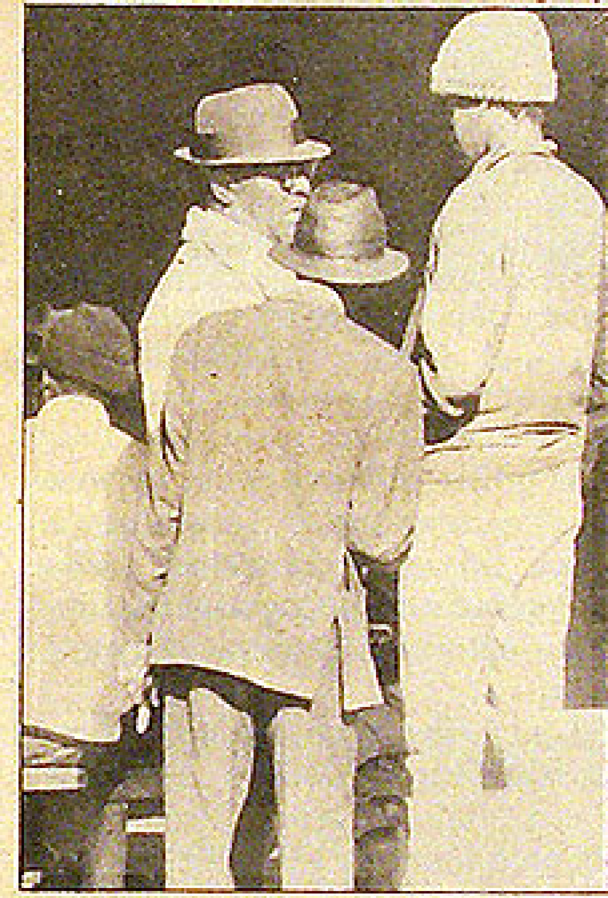
Mark James (Jimmy) Essex held off over 700 New Orleans policemen for over 28 hours in a heated gun battle on January 7, 1972, before being killed. White racist violence had driven Essex to the point where he fought off police equipped with an AR-15 rifle, a marine helicopter equipped with mounted guns and the most sophisticated weapons the New Orleans' police had at their disposal. While officials claim that Essex was part of a conspiracy, he was alone — armed only with a .44 magnum rifle. Essex lay dead for several hours while the police continued shooting at him.

Special Study Charges Racism Blocks Oakland Jobs Program

(Oakland, Calif.) - A report unveiled last week at a Oakland Planning Commission meeting charged that racial bias is one of the main reasons behind the city's most pressing economic problem — unemployment.

The report, prepared by city planners and the Arthur D. Little consulting firm, commented, "Minorities and low-income persons have been denied equal employment opportunity, either intentionally or institutionally.

"In addition," the report continued, "minority business may also face problems of equity financing, lack of management skills and difficulty in obtaining contracts."



Jobless Black Oakland residents are victimized by White corporate racism.

At the same time the report stated that Oakland's economy has "considerable potential for new development and job creation." The study went on to suggest that the city place greater emphasis on returning existing businesses rather than attracting new ones.

The local economy, says the report, is shifting from a manufacturing to a service orientation and, as a consequence, that the city should concentrate its efforts in developing more downtown office space because, "Oakland has many characteristics that make it attractive as a location for administrative headquarters."

According to the report, one of the biggest drawbacks to the development of Oakland's eco-

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CARTER HAS "FAILED TO MORE FORWARD ADEQUATELY"

N.A.A.C.P. DEMANDS FEDERAL JOBS PROGRAM TO HALT UNEMPLOYMENT

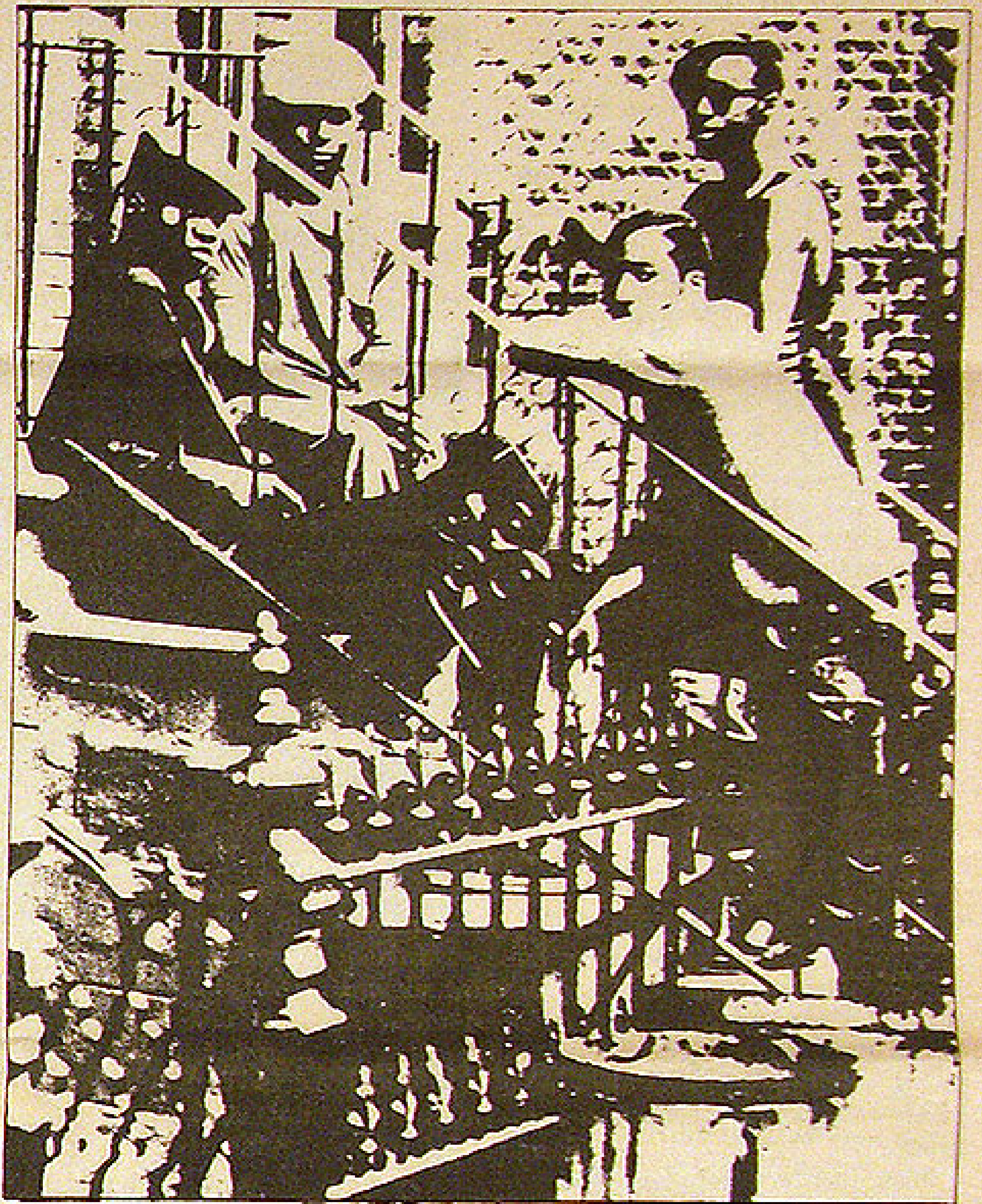
(Washington, D.C.) - NAACP Executive Director Benjamin Hooks announced last week that because the President "has failed to move forward adequately" against double-digit unemployment, the civil rights group plans to submit its own economic proposals that would charge the "government as the employer not of last resort but of first resort."

Hooks pinpointed "economic underdevelopment and joblessness" as the major concerns in the Black community in announcing the NAACP's plans to propose a job program charging the federal government with the primary responsibility for providing employment.

We thought President Carter would have a program for public works, but. . .in his preoccupation with balancing the budget, he is not moving on his campaign promises to meet human needs," Hooks said.

On a similar front, Hooks said the NAACP has set up a "national alert" aimed at defending affirmative action programs which are being "destroyed" by legislative restrictions and court rulings.

In another challenge to the Carter administration, the NAACP last week attacked the President's beleaguered energy plan, ripping the White House proposal to continue natural gas price controls at the expense of diminishing the oil industry job market as an unacceptable constraint to the badly-needed expansion of job opportunities for Black Americans.



In an effort to halt Black economic underdevelopment and spiraling unemployment, the NAACP has demanded that the federal government take primary responsibility for providing jobs.

Concerning Carter's energy plan, the NAACP said its particular concern was generating jobs in areas where Blacks live — an objective that could be assisted by greater efforts to increase energy supplies.

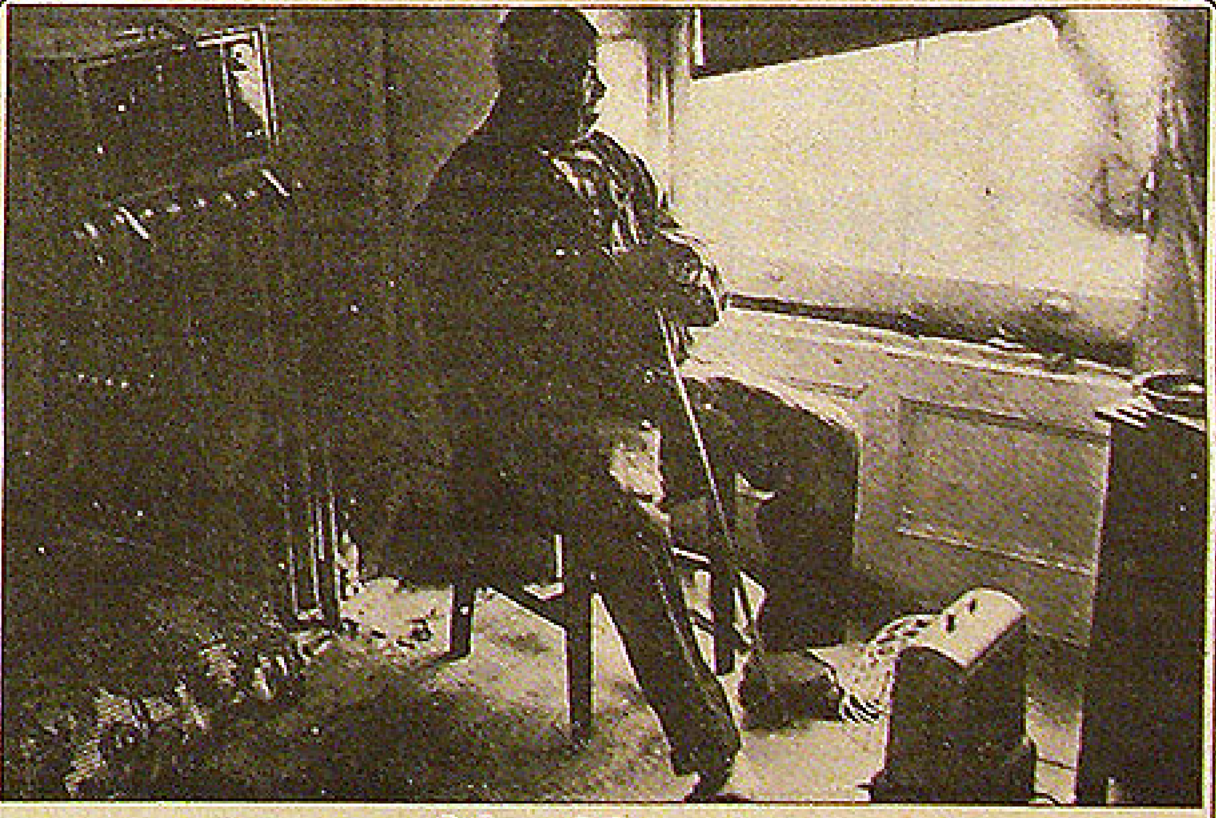
SUPPORTERS

Some of Carter's supporters on Capitol Hill expressed dismay at the NAACP report, which will undoubtedly have an unfavorable impact on the embattled legislation.

The President's program was also opposed by the NAACP, as it has been by a number of consumer-oriented groups, as unfairly inflating energy costs for the public.

Noting the plan's adverse affect on Blacks, the NAACP position paper declared:

"We find it very disturbing to contemplate a future in which energy supply would become a constraint upon our ability to solve these critically important social and economic problems which confront Black citizens especially." ☐



No Heat

(New York, N.Y.) - HENRY McBRIDE, 83, and other tenants in an apartment building at 260 West 123rd Street in Harlem have been without heat for three weeks since their boiler broke down — after they raised the money to pay for the fuel bill. During that time the temperatures have dipped to 12 degrees with winds gusting up to 45 miles an hour.

F.B.I. SPIED ON S.Q. 6 TRIAL

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According to one document received by Ms. Richartz, dated 7/1/76, the Marin County Sheriff's Office, "realizing the conservative nature of Napa County," furnished that county's sheriff's office with the names of residents that visited the San Quentin 6 trial.

The names were handed over, the document says, "in an attempt to identify individuals within Napa County that have a propensity for bombing or violence." The investigation was conducted by the San Francisco FBI office, and although the documents are heavily-censored, it seems that the names of over 20 individuals were given to Napa County law authorities. Also, the names of certain associates and friends of those who visited the S.Q. 6 trial were also submitted.

TELLING PARAGRAPH

One telling paragraph in the document reads:

"The [San Quentin 6] trial is the longest in California history developing into criticism of the California prison system with political overtones. Because of the celebrated nature of the trial it has attracted many individuals throughout the country, including those with a revolutionary background."

A second document received by Ms. Richartz dated 7/18/75 cautions federal agents, "In view of the subjects' (San Quentin 6) involvement in prison violence and extremist activities, they should be considered armed and dangerous." The paragraph is typed in all capital letters and is underlined.

This document, dated during the jury selection process before the actual trial commenced, also contains the names of approximately 10 FBI informants ("sources" as the Bureau calls them) who have "furnished reliable information in the past." The names are blotted out.

A key defense contention throughout the San Quentin 6 case was that the bloody incident which occurred in the prison's abominable Adjustment Center on August 21, 1971 — resulting in the death of Jackson, three White prison guards and two White inmate trustees — was not an alleged escape attempt, as the prosecution alleged, but was the end product of a longstanding law enforcement conspiracy to murder the respected BPP Field Marshal.

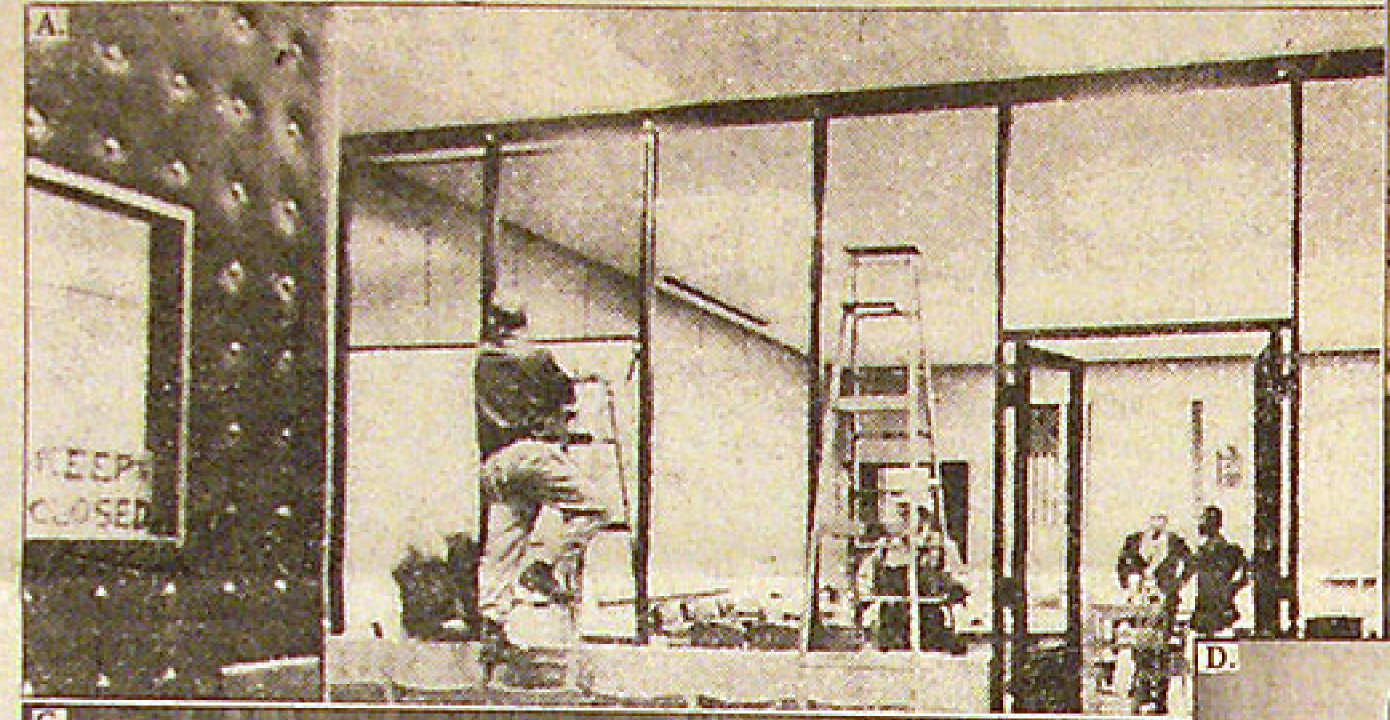
Shortly after jury selection in the case began in March, 1975, Marin County deputy public defender Frank Cox, attorney for defendant David Johnson during the proceedings, filed a sealed affidavit asserting just such a conspiracy, fingering the FBI and the Los Angeles Police Department as major participants in "an attempt to kill George Jackson in a preemptive first strike."

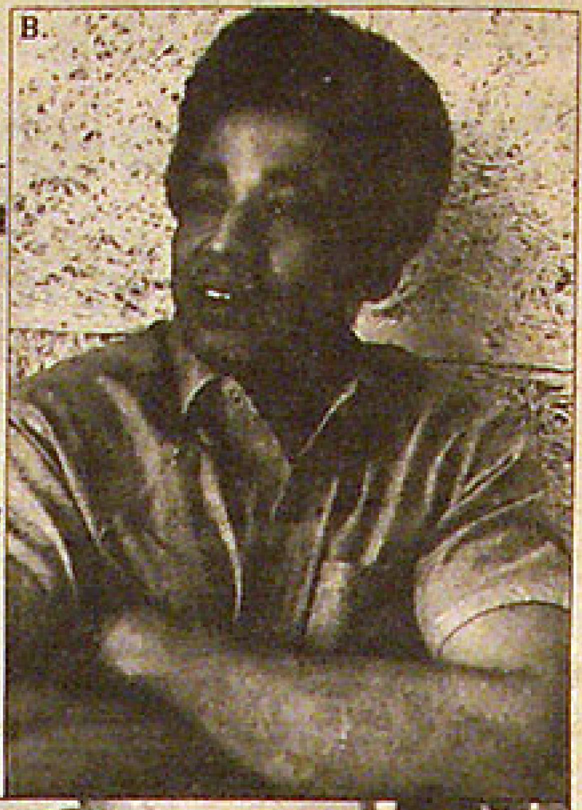
Cox's affidavit was later corroborated in direct court testimony by ex-agent provocateur Louis Tackwood, and more recently in sworn depositions by three present and former LAPD officers who admitted working with the FBI in the plot.

The Cox affidavit was, at that time, sent to the U.S. attorney's office in San Francisco who forwarded the document to then U.S. Attorney General Edward Levi.

Levi's response, sent to presiding Marin County Superior Court Judge Henry Broderick, claimed that any FBI files, if they existed, were irrelevant to the proceedings.

As a result, no FBI documents were disclosed during the course of the San Quentin 6 trial.









(A) Workmen put up bulletproof glass in San Quentin Six courtroom; (B) GEORGE JACKSON; (C) LUIS TALAMENTEZ, WILLIE TATE, HUGO PINELL and JOHNNY SPAIN; and (D) child is searched before entering courtroom.

Lobby Effort Combats New Repressive Legislation

CONTINUED FROM PAGE 3

charters which will define and limit the authority of spy agencies to conduct counterespionage and covert operations abroad and counterintelligence and domestic security investigations.

•the House Subcommittee on Constitutional Rights to introduce and hold hearings on an FBI charter;

•the House and Senate to consider and possibly enact legislation on the liability of the government and officials in civil suits seeking damages for the abuse of Constitutional rights.

While the charters may be held over into the 96th Congress, a push to enact S. 1566 would allow wiretapping without probable cause of crime in violation of the Fourth Amendment prohibition against "unreasonable searches and seizures."

CHARTERS

Charters which would emerge following the enactment of S. 1566 would authorize broader non-criminal counterintelligence investigations, including maintaining files, taking photographs, conducting interviews, obtaining information from confidential sources, making record searches, using informants, and the like.

The legislation would also give the President express power to conduct investigations more broadly than under previous executive orders.

President Roosevelt's Executive orders of 1939 and 1940 referred to specific violations of law as the basis for counterintelligence investigations and a narrow class of laws relating to espionage, treason, and violation of the neutrality laws.

S.1566, on the other hand, has a "criminal standard" that permits investigation of undefined "clandestine intelligence activity" when *any* federal law may be violated and a "non-criminal" standard that reaches even further.

Such "counterintelligence" investigations in the "past" included such broad scale investigative programs as COMINFIL, the CIA's Operation CHAOS, and the FBI's notorious COINTELPRO.

Senator Edward Kennedy of Massachusetts has made a commitment to wage a floor fight against a non-criminal standard.

On the House side, the House Judiciary Committee has been a major focus of attention for H.R. 7308 opponents. H.R. 7308 was referred to the new House Intelligence Oversight Committee, which is expected to vote out a less restrictive bill than the current one.

Lobbying efforts will be made to pressure the Judiciary Committee to restore the restrictive measures or to make further substantive reform amendments, chief among them a tight criminal standard.

Floor action in both the Senate and the House is expected in February or March.

JUSTICE PROBE ENDS, NO INDICTMENTS SOUGHT

PATTERN OF CORRUPTION BY HOOVER, F.B.I. HIERARCHY DETAILED

(Washington, D.C.) - The Department of Justice last week released its findings from a two-year probe that charged late FBI Director J. Edgar Hoover with accepting illegal favors and widespread abuse of Bureau services in detailing a long-standing pattern of corruption and criminal conduct at the highest levels of the FBI.

Despite these findings, however, the 40-page report concludes that no prosecutions will be sought because the statute of limitations has run out on most of the offenses, which allegedly took place more than five years ago.

The examples of official misconduct included the use of FBI employees to make major improvements at Hoover's home and the homes of several top aides, "improper favoritism" and "conflict of interest" in the selection of a supplier of electronic equipment.

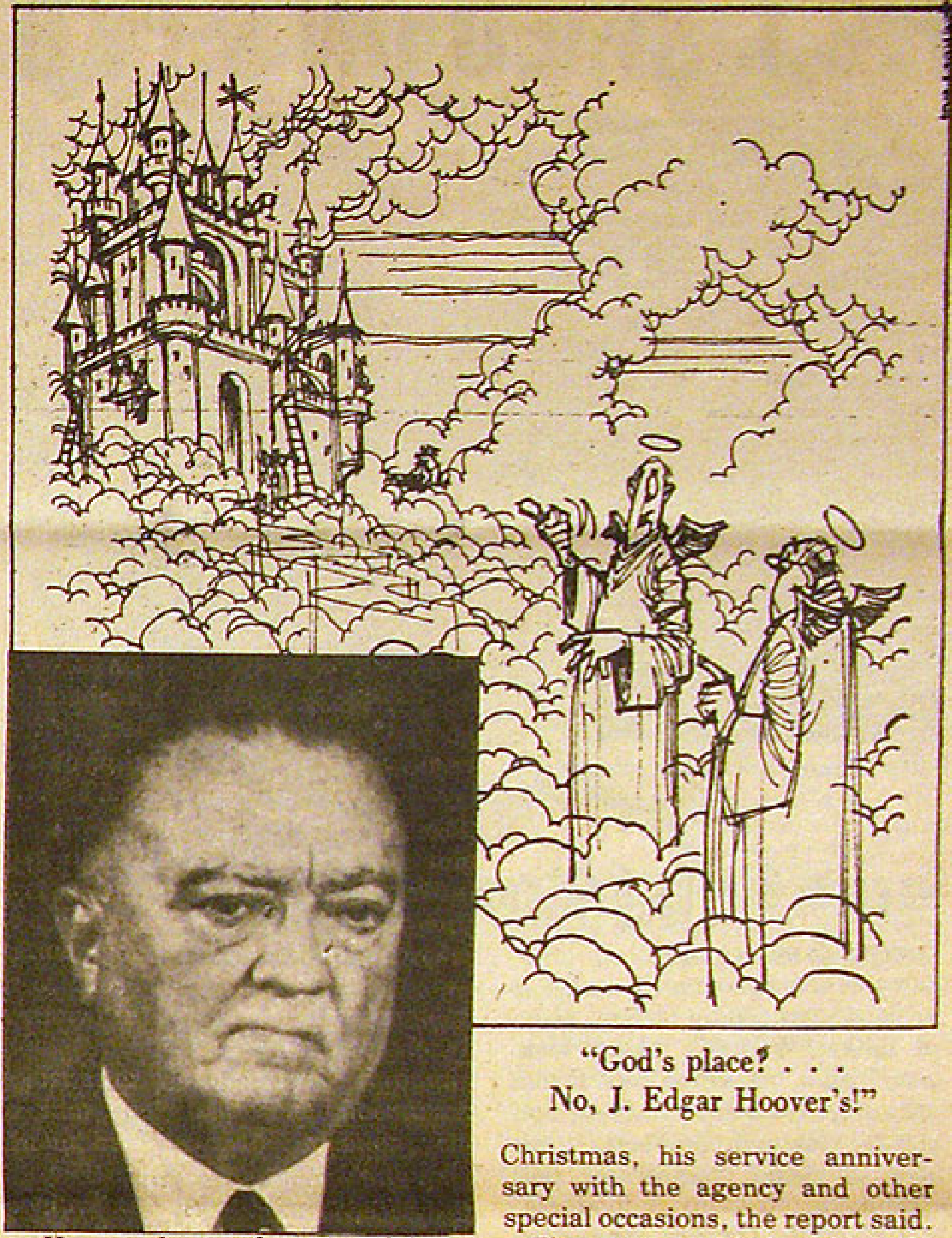
Much of the material in the report had been previously disclosed in news accounts and in Congressional testimony. The Justice Department probe followed an in-house FBI investigation that was rejected by former Attorney General Edward H. Levi two years ago.

Among those accused of improper conduct along with Hoover were two top Bureau lieutenants, Nicholas P. Callahan, who was forced to resign as No. 2 man in the Bureau in 1976 because of some of the allegations detailed officially for the first time last week, and John P. Mohr, who retired in 1972.

Both were cited as having ordered FBI agents to make improvements and repairs at their homes, and as having diverted Bureau funds for unauthorized uses.

Hoover, who headed the FBI for nearly 50 years until his death in 1972, was charged with having accepted favors that ranged from additions to his home — including a front portico, a fishpond, shelves, telephone stands and an Oriental fruit bowl — to servicing of his lawnmower and snow blower.

"Plots of lawn were reset, metal polished, wallpaper retouched, firewood provided and furniture rearranged," the report said. "Employees were on call night and day for this work."



"God's place? . . . No, J. Edgar Hoover's!"

Hoover also got free tax advice from a Bureau accountant, and members of the FBI's Exhibits Section were called upon to build gifts each year for Hoover on Christmas, his service anniversary with the agency and other special occasions, the report said.

The report said that the gifts for Hoover included tables, display cases, cabinets, a bar and valets. It said assistant directors

CONTINUED ON PAGE 10

L.A.P.D.'s Davis Retires — Announces Campaign For Governor

(Los Angeles, Calif.) - Ed Davis retired from his post as chief of police of the notorious Los Angeles Police Department (LAPD) last week and officially announced his candidacy for governor of California after serving eight years as undoubtedly the most publicized and brutal police chief in the nation.

The burly, tough-talking ultra-conservative, according to the November California Polls on the 1978 gubernatorial race, is running well behind Attorney General Evelle Younger, both in a potential Republican primary and as a possible opponent for Governor Edmund Brown, Jr., in the general election.

The polls, however, also showed Davis gaining ground from earlier poll results and showed him ahead of other Republican challengers, including San Diego Mayor Pete Wilson, Assemblyman Ken Maddy of Fresno and state Senator John Briggs of Fullerton.

With the possible exception of Briggs, whose sole issue seems to be his intense feelings against homosexual teachers, Davis is the most conservative candidate opposing Brown.

Davis, who in recent months has had major national television and magazine exposure, was interviewed on the morning of his retirement on ABC's nationally televised *Good Morning, America* show.

Davis will appear this weekend before the California Republican Assembly (CRA) on a panel with the other Republican candidates and potential candidates.

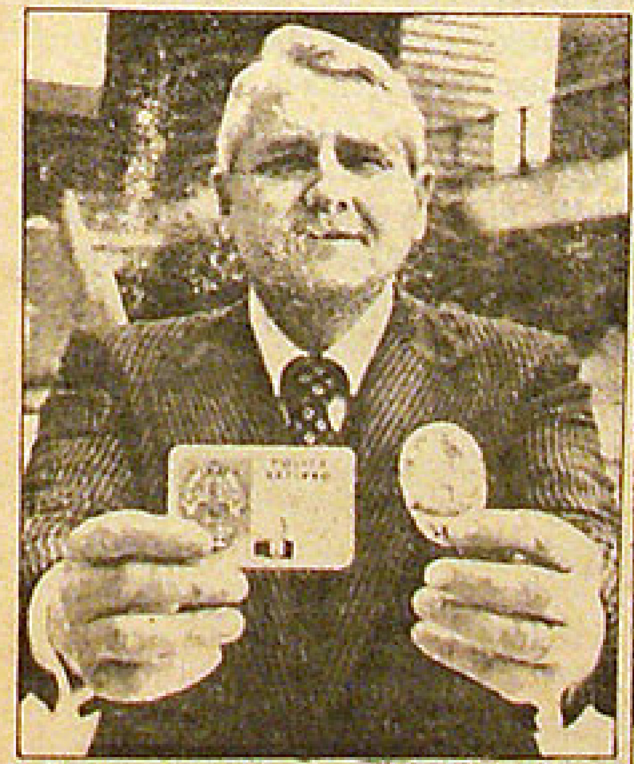
Although the staunchly conservative volunteer group won't endorse anyone at this meeting, it is expected to be a strong base of support for Davis.

"The chief, by what he's been, is the one candidate who has most clearly earned, and deserves, CRA's endorsement," said Mike Carrington, Davis' campaign aide. "As a third-term vice-president of the CRA, I think I can say with some confidence that he has a good chance of getting the endorsement. He's the embodiment of CRA's responsible, conservative principles."

Under Davis' administration, the LAPD found itself under unprecedented attack from civil libertarians, Black and minority groups and the press, with suits of sloppy investigations, allegations of brutality and murder and protests of rampant discrimination.

Dubbed "Crazy Ed" by his opponents, the loud mouth Davis has alternatively rallied against gun control, fumed about relaxed

CONTINUED ON PAGE 10



Right-wing former LAPD police chief and gubernatorial candidate ED DAVIS displays I.D. and badge.





Black and poor Oakland residents are seriously hampered by racism in their attempts to secure meaningful employment.

Racism Blocks Oakland Jobs Program

CONTINUED FROM PAGE 5
nomy is unemployment, which is primarily caused by racism. Mayor Lionel Wilson's "Hire Oakland" plan, in which businesses are compensated for training and hiring Oakland residents, has been a virtual failure for this reason.

While the report points to considerable potential for the city's business sector, it does not forecast any change for unemployment among the city's Black and poor residents.

According to the study, the city's economic development goals should be:

•Reducing the level of unemployment in Oakland's labor force, particularly among the city's hard-core unemployed;

•Strengthening the city's non-residential tax base;

•Providing equal opportunity for the full participation in economic activities by all Oakland residents, especially those excluded because of race or institutional factors; and

•Advancing Oakland's position as a regional center of commerce, industry, recreation and culture.

City officials attending the Planning Commission meeting stated that the city's economic development is in a state of "borderline chaos" because of the lack of coordination among city officials and independent groups.

Mayor Wilson is planning to streamline the city's economic development program, which is characterized by duplication of services, lack of coordination and rivalry among various groups inside and outside of the city's structure, reports the *Oakland Tribune*.

The powerful Oakland Council for Economic Development (OCED), a group composed mainly of corporate leaders, did not send a representative to the Planning Commission meeting but complained about the economic report in a letter to Mayor Wilson.

The group was distressed over the fact that the report did not contain some of the suggestions it had made to the city last year, among them the creation of a new city department to create and direct all economic development planning, programs and policies.□

"Stop S.1437"

CONTINUED FROM PAGE 3
Party President Huey P. Newton, echoed many of the same warnings of the other speakers.

A perfect example of the implications of S. 1437 is that last Tuesday's demonstration would have been illegal under Section 1328, which prohibits picketing, parading, displaying a sign, or using a sound amplifying device within 200 feet of any building used by a judicial official.

Other sections of the bill, would make it unlawful to:

•Interfere with a government function;

•Express opposition to a war or U.S. defense policies; and

•To hold labor strikes, not only against the federal government, but also against an enormous sector of private industry.

For more information, contact the Bay Area Coalition to Stop S.1437, P.O. Box 5929, San Francisco, California 94101, (415) 626-3131.□

People's Perspective

Black Woman Wins Book Award

(New York, N.Y.) - The critically acclaimed novel *Song of Solomon* by Toni Morrison, a Black woman, won the prestigious 1977 National Book Critics Circle award for fiction last week. The story is about a Black family whose main character returns to the South seeking his family's heritage.

Discrimination In Fed. Programs

(Washington, D.C.) - The U.S. Commission on Civil Rights charged last week that major federal programs discriminate against both children and elderly people, and it recommended raising the mandatory retirement age from 65 to 70. The commission said "barriers" within federally-financed programs have "a serious adverse impact on the lives of the children and older persons" in the delivery of medical and general health care services, and on job programs under the Comprehensive Employment and Training Act, which concentrates on "employable" people aged 22 to 44.

Anti-K.K.K. Protesters Cleared

(Columbus, Ohio) - Three men charged with "inciting to violence" at a July 4th KKK demonstration last year were acquitted last week. The defendants — George Preston, George Allison and Tom Welch, all members of the National United Workers Organization — were charged after they defended themselves against an attack by KKK Grand Wizard Dale Reusch after he sprayed an angry crowd with mace during a Klan recruiting rally. Benson Woman, local director of the American Civil Liberties Union, as a witness for Reusch, testified that the KKK grand wizard was "rather mild" as Klansmen go. He further testified, "I think the police should have intervened to help him."

Reverse Discrimination

(Washington, D.C.) - The Equal Employment Opportunity Commission announced recently that it would drastically curtail investigation of so-called "reverse discrimination" charges. The Commission said it would cease pressing "reverse discrimination" charges if an employer has a "reasonable" affirmative action program. The new policy is a response to the sharp increase of such charges in the wake of the Bakke case.

K.K.K. Weakened A.C.L.U.?

(Metairie, La.) - KKK National Director David Duke recently listed the weakening of the American Civil Liberties Union (ACLU) among the Klan's major accomplishments during 1977. ". . .We have caused the basically anti-White ACLU to lose 40 per cent of their support," said Duke. He was referring to the ACLU's legal action in support of the Klan's right to organize White Marines at Camp Pendleton, California, where 13 of 14 Black Marines charged were recently sentenced for defending themselves against KKK attacks.

Dirty Words

(Washington, D.C.) - The Supreme Court announced last week that it would decide if seven words the Federal Communications Commission (FCC) considers indecent may be aired on radio or television. The court said it will hear an appeal by the FCC seeking to have its 1975 ban on the seven words — which are "fuck," "shit," "piss," "motherfucker," "cocksucker," "cunt" and "tit" — reinstated.

School For Narcs

(Sacramento, Calif.) - A fledgling training academy for narcotics officers from all over the western United States operating out of California's Justice Department appears to be part of a growing regional empire of narcotics enforcement activities controlled and coordinated by Attorney General Evelle Younger, according to state budget documents. The academy was set up under the auspices of the California Narcotics Information Network (CNIN). This little-known group is described by a Justice Department budget proposal "as organization formed to promote the exchange of information and criminal intelligence not available through regular police channels in relation to narcotics trafficking."

Controversial I.R.S. Computer System Nixed– Threat To Liberties

(Washington, D.C.) - As a result of massive public criticism, the Carter administration has scuttled plans for the development of a nationwide, $850 million computer for monitoring taxpayers.

Opponents of the Tax Administration System (TAS) computer condemned the massive data-processing system as a threat to privacy and civil liberties. The Internal Revenue Service proposal to install the TAS computer has been the subject of heated Congressional debate for over two years, reports the *New York Times.*

In February of 1976, for example, Congressman Charles Vanik, then the chairman of the House Ways and Means Committee, said that the TAS computer "could become a system of harassment, surveillance and political manipulation."

Recently, in December of last year, six U.S. senators wrote James McIntyre, the acting head of the Office of Management and Budget (OMB), asking him at the very least to defer making a decision on the IRS computer proposal until the completion of additional studies about its potential dangers.

The senators warned, "Be-

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EXTORTION AND BRIBERY CHARGED

F.B.I. PROBES CORRUPTION IN CALIFORNIA LEGISLATURE

(Sacramento, Calif.) - A federal grand jury is hearing evidence in a six-month-old FBI probe of bribery and extortion charges involving members and lobbyists in the California legislature, it was revealed last week.

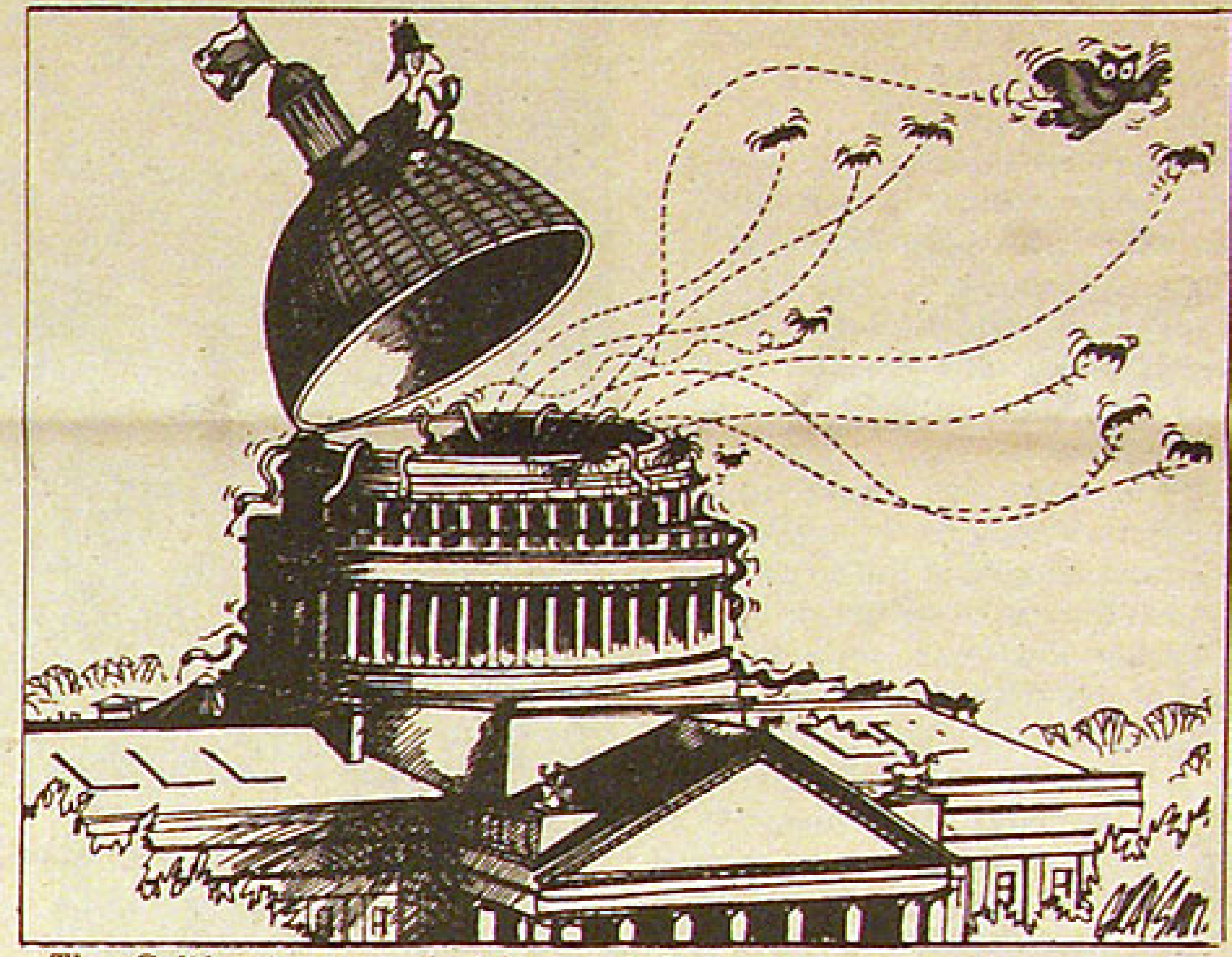
Following reports in the *San Francisco Examiner* and *San Francisco Chronicle*, William Doran, assistant special agent in charge of the FBI office here, confirmed the investigation of "possible political corruption in the state of California."

He refused to give any details because the inquiry is still in process.

An informed source told the *Chronicle* that criminal indictments are expected "eventually."

Those known to be under federal scrutiny are Republican state Senator Ralph Dills, chairman of the Governmental Organization Committee; Democratic state Senator Alfred Song, chairman of the Senate Judiciary Committee; former state Senators Randolph Collier, James Wedworth, James Whetmore, Lawrence Walsh; and Donald Kent BrOwn, one of the most influential lobbyists at the California capital, whose most prominent clients are the enterprises of the late Howard Hughes.

(BrOwn capitalizes the "O" in his last name because as a teenager he was once mistakenly arrested for another Don Brown.)



The California state legislature is being investigated on charges of bribery and extortion.

Dills, 67, who has served in the state senate for 11 years, said he had heard that he was a target in the influence buying probe but that he had not yet been contacted for questioning by the FBI. He denied any wrongdoing.

The Governmental Organization Committee head did admit to receiving one campaign contribution from Hughes business interests. Campaign records showed that in 1974, Dills received a $400 contribution from a committee headed by Hughes lobbyist Donald BrOwn.

Asked by reporters for a response to the federal investigation, Song snapped, "What the fuck am I going to respond to? They're going to crap on me anyway."

Song's former wife, with whom he was engaged in a bitter divorce dispute last year, has been requested to appear at a future session of the grand jury, the *Oakland Tribune* reports. An unidentified Hughes official has already testified.

Contacted by telephone, Whetmore and Walsh said they had not been reached by the FBI and expressed surprise that their names were linked to the inquiry.

Collier said he had never personally dealt with BrOwn but that "he put some money in my last campaign" in 1976. Collier received a total of $1,000 in contributions from Hughes enterprises, according to 1976 records.

A legislative insider revealed that the federal probe is looking into charges that a state senator's dues at a local country club were paid by a lobbyist. If the charge is true, the federal violation would probably involve influence buying.

In addition, the state Fair Political Practices Act, which prohibits a lobbyist from spending more than $10 a month on each legislator, would be violated.

Donald BrOwn, the second-highest paid lobbyist in California, collected $222,713 from influential clients in 1976, ac-

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Racism Charged In Ouster Of Black Business From New Orleans Superdome Complex

(New Orleans, La.) - Black political and business leaders are irate following the recent ouster by White financial interests of a Black-owned business, Superdome Services, Inc., from this city's $180 million Superdome.

When Louisiana voters approved construction of the Superdome sports complex in New Orleans, local politicos, including Mayor Moon Landrieu, promised Blacks in the city a share of the business generated by the facility.

Today, 12 years and more than $100 million taxpayer dollars later, there's no Black business in the Superdome.



SSI executives DONALD HUBBARD and SHERMAN COPELIN. SSI, a Black-owned business, recently lost its contract with the New Orlean's Superdome.

Last October, Superdome Services, Inc. (SSI), the only Black-owned company awarded a business franchise at the facility, had its five million dollar contract to provide building services at the dome cancelled, *Black Enterprise* magazine reports.

Louisiana Governor Edwin Edwards cancelled SSI's contract at the request of Denzil Skinner, president of Hyatt Management, the company hired by the state last July to manage the dome. When SSI lost its contract, it was feared Skinner would dismiss the firm's 3,000 mostly Black employees. But Skinner has pledged to keep them on.

Notwithstanding Skinner's pledge, the key issue is whether

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Davis Retires

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marijuana laws, accused politicians of taking payoffs from pornographers and homosexuals, and laid blame for the increase in crime to "swinging mothers" and women's liberation.

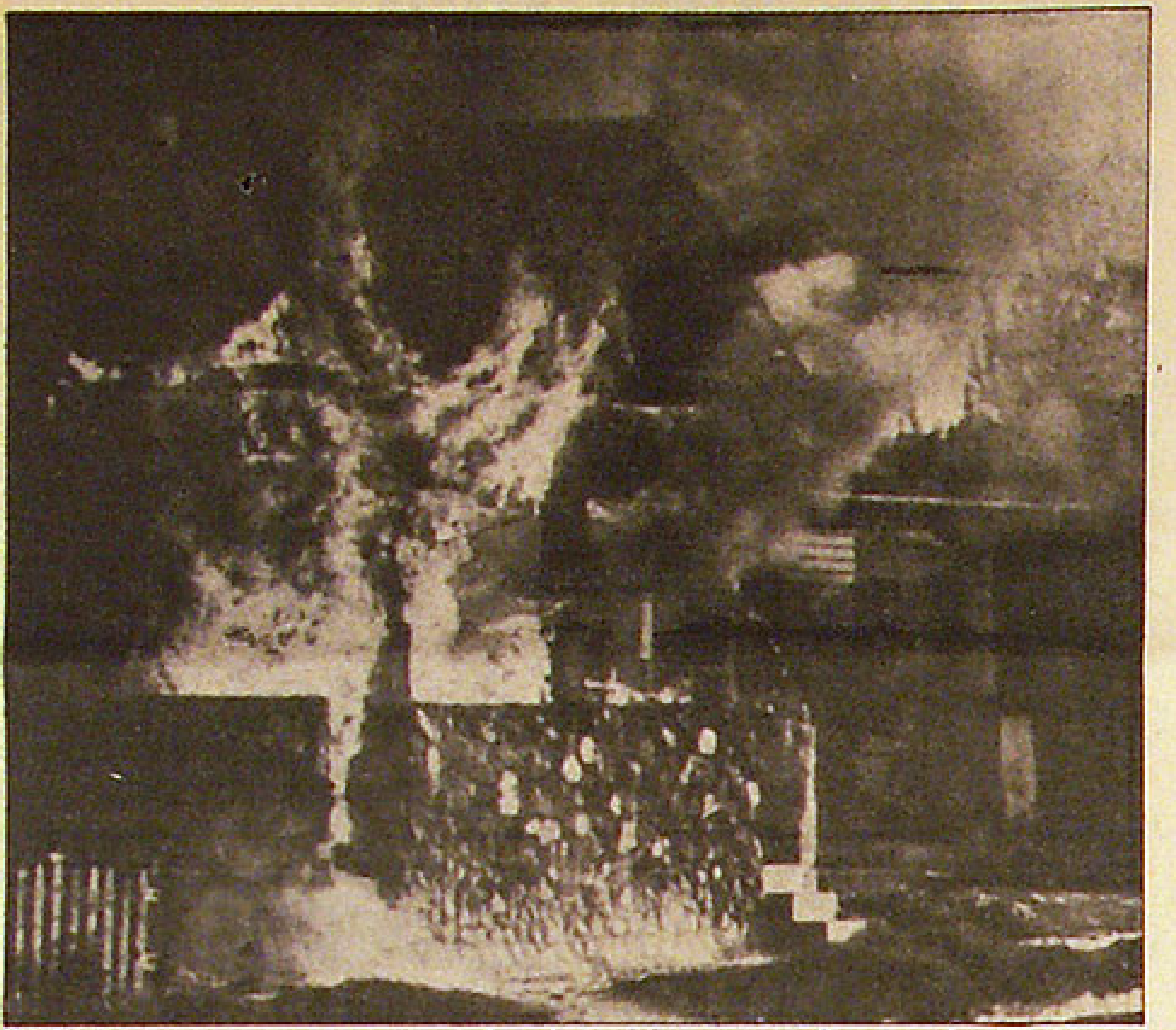
Davis once refused to go along with a city ordinance permitting admitted homosexuals to hold city jobs because of "the health risk" — a straight and homosexual police officer would have to share the same patrol car microphone.

Davis has also said airline hijackers should be immediately tried and hanged at the airport as soon as they were captured.

Earlier this year, following a rash of shootings by policemen — by August, 1977, the LAPD had gunned down 27 civilians — Davis blamed the press for reporting them.

"I've probably reached more people with a moral message in this job than I would have if I had been a minister," Davis boasted recently.

"I've been able to be a priest and a lawyer and a teacher and a cop and many other things. I've reached the top of my profession. I've. ..served as president of the International Association of Chiefs of Police, and that's as high an honor as a person can attain in police work."



SLA hideout in Los Angeles after it had been set afire by the LAPD, killing six people trapped inside by crossfire.

Flanking Davis during his retirement ceremony were assistant chiefs Daryl Gates and Louis Sporrer, each of whom is contending for the chief's job.

Davis also used the occasion to take a swipe at two "outsiders" who were forced out of contention in the bidding to succeed him — former New York City Police Commissioner Patrick V. Murphy and Daniel Crawley.

Undisguised ill-will exists between Murphy and Davis, whose conservative law enforcement views are fairly well mirrored by his two top aides.

Murphy, a so-called law enforcement liberal, has taken positions opposite the two LAPD contenders for chief.

Both Murphy and Crawley withdrew after learning they would have to take a nine-hour examination administered by the Civil Service Commission.

"I'm very disappointed that they chickened out at the last moment," said Davis, who had strongly opposed the Civil Service Commission's decision to open the examination to competitors from outside the department.

Davis, who served on the force 37 years, started drawing a pension at 70 per cent of his current salary, or about $48,000 a year, following his retirement. ☐

Corruption By Hoover, F.B.I. Hierarchy

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chipped in to pay for materials but the workers who built the presents were never compensated.

"FBI employees called upon to perform these services did not think them proper but felt compelled to follow orders for fear of losing their jobs, or of arbitrary transfers or promotion delays," the report said.

While the report described extensive abuses, it refused to acknowledge any evidence of bribery as has been previously charged.

For example, the report found that the FBI purchased $500,000 worth of equipment on an exclusive basis from the United States Recording Company from 1971 to 1975, paying a markup as high as 70 per cent for some equipment.

The report also found that several former FBI officials were poker-playing buddies with the company president, Joseph X. Tait, who was tried and acquitted last year on charges of tax evasion, fraud and conspiracy. Tait entertained FBI officials at various expensive Washington, D.C., area restaurants and country clubs.

Among the other charges outlined in the report were the following:

•Between 1956 and 1973, the FBI spent more than $75,000 from a special confidential fund to buy electronic equipment without providing any reasons for the purchases.

•From 1961 to 1975, $23,389 from the fund was spent to pay for such items as room rent, food and drink for foreign and domestic law enforcement and intelligence organizations.

•From 1951 to 1972, Callahan obtained $39,590 from the so-called library fund. There are no records indicating where the money went.

•The Remington Arms Company, which sells guns and ammunition to the FBI, paid for rooms and meals for more than a dozen FBI officials at its game preserve at Chestertown, Maryland, on a number of occasions before 1972. ☐



"Wonder what we'll find out next year that they're not doing any more."

Corruption In California

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cording to state reports.

The lobbyist was not available for comment last week, but his attorney, Vigo Nielson of San Francisco, confirmed that BrOwn had been extensively questioned by the FBI six months ago.

Nielson denied any wrongdoing on BrOwn's part, objecting that his client's reputation has been damaged because the FBI has asked insinuating questions of BrOwn's business associates. "I think it's a fishing expedition," Nielson added.

Assembly Speaker Leo McCarthy met with FBI agents at their request in a closed-door session on January 11. After the meeting, the San Francisco Democrat said he was "happy in all instances to say 'no' " when asked if he knew of any suspected influence peddling.

"They're (FBI) interested in possible threads connecting campaign contributions to the movement of any bills" through the legislature, he explained.

RIGHTS

McCarthy, who said he was "read his rights" against self-incrimination at the start of his interview with the two FBI agents, took a wait-and-see attitude toward the investigation.

"I would not characterize it as a fishing expedition. I really would not lend any characterization to it. . .We'll see what the final result is," he said. ☐

Controversial I.R.S. Computer Nixed

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cause of the tremendous projected costs and the potential such a system has for jeopardizing the Constitutional and privacy rights of American citizens, we urge the greatest caution in proceeding with the TAS system. . ."

Due to mounting pressure the Carter administration wisely backed off on the IRS computer project at a meeting of top OMB officials last week. The TAS computer would have had a large data processing system with 8,300 terminals, through which 48,000 IRS employees would have immediate access to detailed records of millions of American taxpayers and corporations.

According to an IRS official, a decision has now been made to spend $794 million to improve the agency's existing data-processing system rather than to build a new one.

Several other agencies have requested new computers or have embarked on new computerized programs, among them the FBI, the Social Security Administration and the Federal Reserve System. ☐

I.Q. BIAS TRIAL

Still Too Many Blacks In Classes For Retarded

(San Francisco, Calif.) - The presiding judge at the ongoing I.Q. bias trial here is upset with the results of his 1974 ban on using standard intelligence tests to place Black school children in classes for the educable mentally retarded and last week questioned why there continue to be so many Blacks in EMR classes.

"Why, during the moratorium, do you still have overrepresentation of Blacks in EMR classes, notwithstanding the failure to use the I.Q. tests?" U.S. District Court Judge Robert Peckham asked last week.

"If you don't accept your medical explanations as to why



Despite a ban on racist I.Q. tests, many Black children are still placed in substandard EMR classes.

these people find themselves overpopulated in the EMR classes, then it seems to me there is a serious imperfection in the whole process that may be Constitutionally impermissible."

When the class action lawsuit, *Larry P. vs. Riles*, was first filed in 1971, 66 per cent of the elementary school children in San Francisco EMR classes were Black, although Blacks only made up 28.5 per cent of the city's school population. Statewide, 27 per cent of those in EMR programs were Black although Blacks only made up 9.1 per cent of California's school population.

Plaintiffs in the federal court case, six Black parents and their children, assert that standardized I.Q. tests such as the Stanford-

CONTINUED ON PAGE 26

"RIDDLED WITH ABUSES AND INJUSTICES"

FILIPINOS DENOUNCE 4-H TRAINING PROGRAM AS "CHEAP LABOR"

(Durham, N.C.) - A group of Filipino agricultural trainees working in the United States under a program sponsored by the National 4-H Council and the government of the Philippines have signed a protest statement contending that the program provides no training but instead is a "cheap labor" scheme that has had some of the trainees working 12 to 14 hours a day under bad conditions for three months without a break.

The trainees, mostly young men in their 20's, have been joined in their protest by a group of North Carolinians calling themselves the Support Committee for the 4-H Trainees.

GROUP HEAD

Timothy McGloin, head of the group, which is made up of members of the North Carolina Civil Liberties Union, religious organizations and others, said that team members had visited host farms and interviewed trainees for five months and had found the program "riddled with abuses and injustices, and documented a labor, not a training program."

McGloin, a health worker, said that 4-H officials had acknowledged receiving the complaint statement mailed last month and supporting documentation provided by his group but had not responded to a demand for a meeting to work out problems, which include complaints of poor living conditions and a failure to account for money owed the trainees, reports the *New York Times*.



Filipinos in the U.S. under a 4-H Club farm training program were sometimes forced to work 12 to 14 hours a day for up to three months without a break.

Several of the trainees, who work in this country for 18 to 21 months, said that they had been afraid to voice their complaints previously because of fear of reprisals from the government of the Philippines, now under martial law declared by President Ferdinand E. Marcos.

However, after being joined by the support committee, 70 of 73 trainees working in the Southeast, about half in North Carolina, drew up and signed what they called "the real situation statement" in which they described

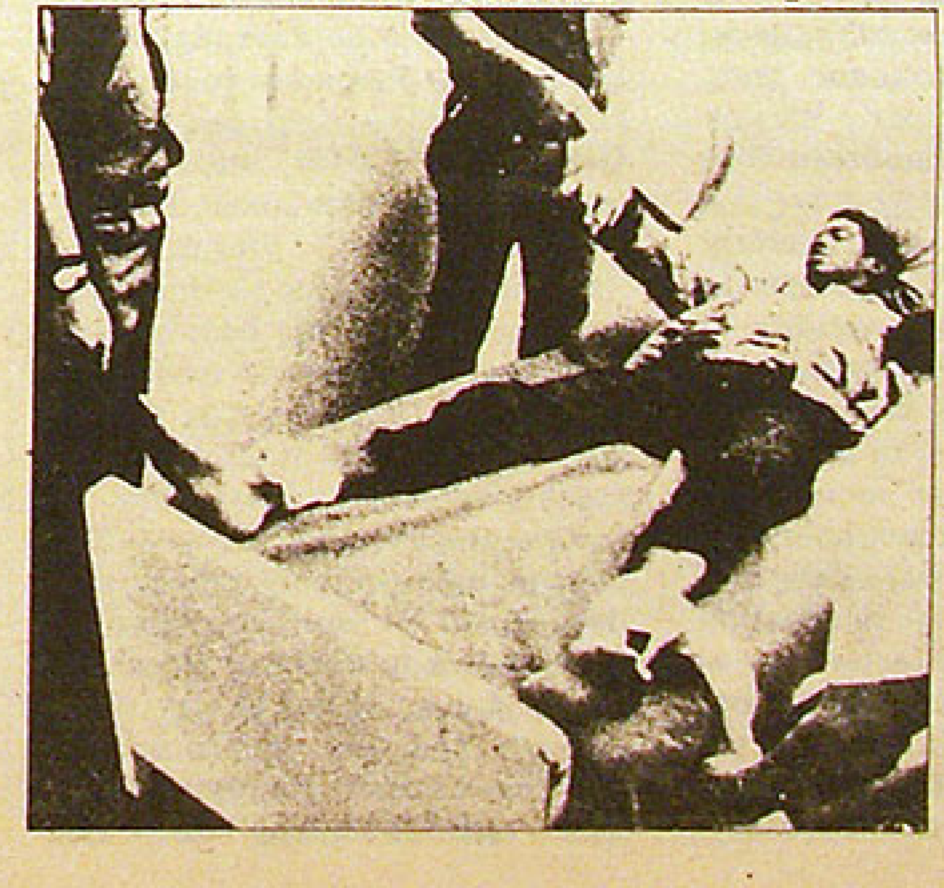
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Suit Seeks Rights For Mental Patients

(Boston, Mass.) - A potentially precedent-setting case here has brought into federal court the long-ignored question of the right of mental patients to humane care.

Since last month the courtroom of Judge Joseph Tauro has been filled with the testimony of patients and doctors on practices at Boston State Hospital.

A class action suit filed by seven patients at the hospital is asking 1.5 million in damages from 15 doctors they have charged with assault and battery, infraction of civil rights and malpractice. If the case is successful, it could be an extremely valuable precedent across the country for restricting forced drugging and seclusion, the *Guardian* reports.



Mental patient undergoing forced electric shock treatment.

"The nationwide impact would be tremendous," said Richard Cole, attorney for the patients. "Doctors will react if they know patients will be compensated for injuries — if they know they are not above the law."

The class action suit aims at a court ruling that seclusion and drugs cannot be forced on patients except in emergencies — when the patient is dangerous to him or herself or others.

Donna Hunt, one of the suit's plaintiffs, spent over 2,000 hours locked in seclusion rooms during a 16-month period from January,

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The New Racism

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and elusive.

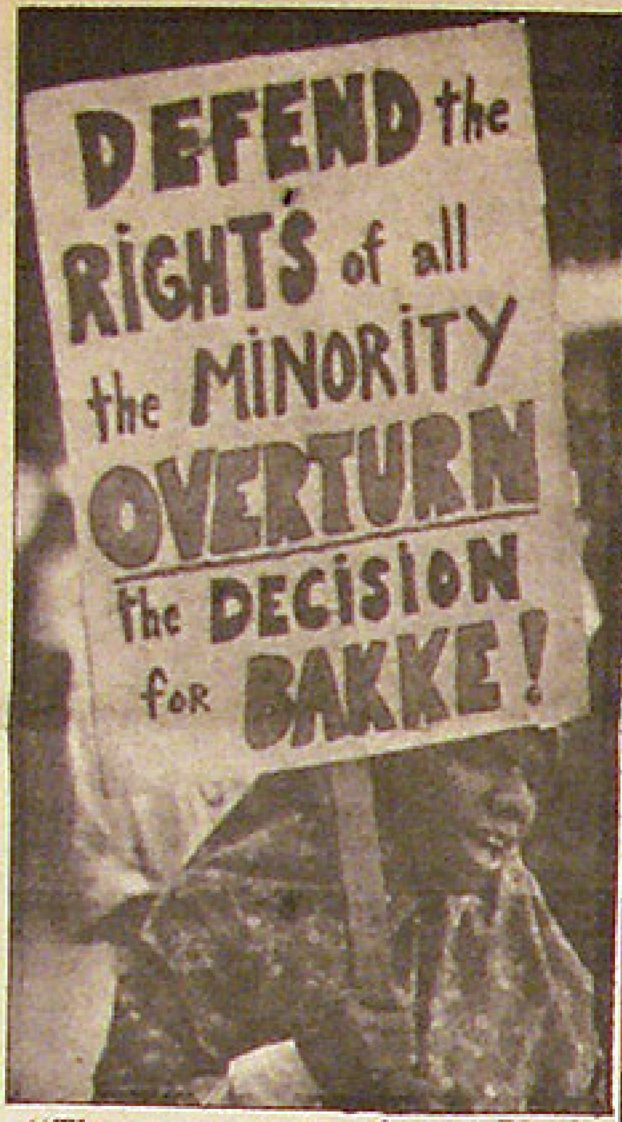
The new proponents of inequality are often urbane, sophisticated and highly educated. Many of them hold respected academic and political positions and they have a profound influence on national social policy, domestic politics and foreign affairs. Among them are the so-called "neo-conservative" intellectuals who provide the scholarly underpinning for the new mood of conservatism and an atmosphere that Rep. Parren Mitchell describes as "anti-Black."

A recent survey by Louis Harris gives some dimension to the gulf between Blacks and Whites in this country. "A majority of Blacks feel they are discriminated against," says Harris, "while a majority of Whites feel Blacks are not." This poll, taken shortly after Vernon Jordan's well-publicized clash with President Carter, reflects an attitude found by other poll-takers. "Most Whites," reports Seymour Martin Lipset, a neo-conservative based at Stanford University, "do not believe discrimination is the principal cause of Black inequality." According to Lipset, "most Whites accept the reality of at least some racial discrimination, but see Black problems as stemming essentially from the moral failings of individuals." What Lipset means is that, 112 years after emancipation, the stereotype of the lazy and shiftless Black persists in the White American mind. At the same time, fully 55 per cent of White Americans feel Blacks have "moved too fast" in their struggle for equality.

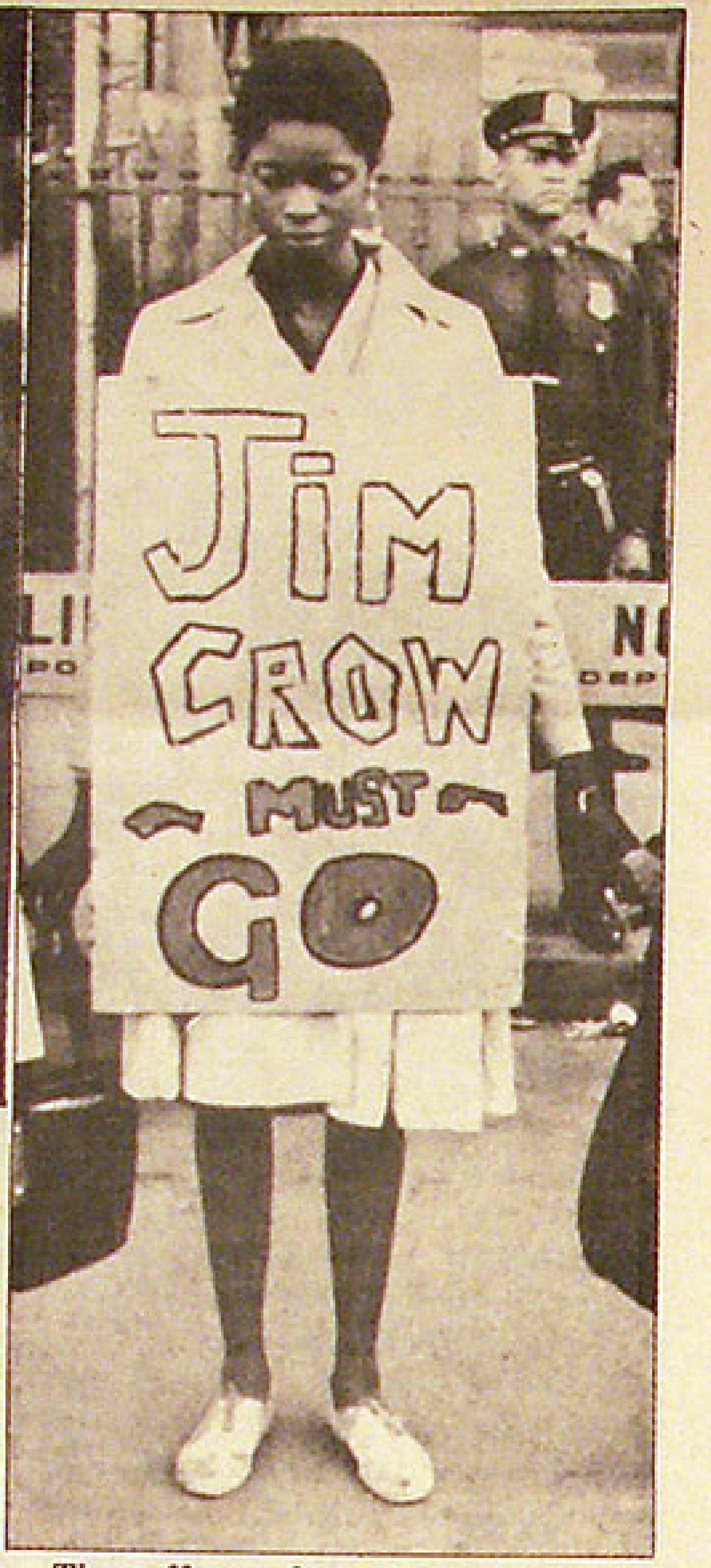
RESURGENCE

The resurgence of anti-Black attitudes must be taken in the context of the country's economic and political problems. The record high numbers of Black unemployment have received much media attention, but less has been made of the fact that nearly a million college graduates, most of them White and holders of advanced degrees, are underemployed. The economic crunch is compounded by the demands of minorities and women, groups that have always served as a ballast in the economy — carried along in times of plenty, discarded at the first sign of crisis.

The problem is made more difficult by the complexities of the Black existence in America. While a large segment of the Black population wallows in semi-permanent poverty, another segment has reached the relative



"The resurgence of anti-Black attitudes," says Joel Dreyfuss, must be understood in the context of the country's economic and political problems.



comfort of the middle class. The sharp class divisions within the Black group may have much to do with the breakdown of a unified Black political movement in this country.

While considerable gains have been made in electoral politics, the ability of Blacks to influence the national political process remains frail. The Congressional Black Caucus serves more as spokesman than as representative. As national attitudes change, Blacks find themselves more isolated than they have been since the early 1950's, abandoned by their traditional allies: labor, liberals and Jews.

In contrast is the media image of Blacks: successful entry into the mainstream, visibility on the television screen far beyond actual presence or influence, but just enough to make Whites feel threatened by what they imagine to be a flood of Black competitors for opportunities that continue to recede over the economic horizon. No wonder so many Whites feel Black progress has been "too fast."

The New Racism is particularly dangerous because it attempts to deprive Blacks of the validity of their grievances. This would not be the first time the majority has denied the existence of a "Black problem." But this is one instance where public sentiment (as measured by the polls) is strongly supported in White intellectual circles.

The new strategy is simple but admittedly brilliant: It denies the existence of racism and accepts no responsibilty for inequality. The effect of such an attitude places Black demands in the position of being outrageous, irrational, even oppressive. That is why, last October, the Supreme Court of the United states convened to consider a White man's charge that he had been denied his civil rights by 16 Blacks, Chicanos and Asians who wanted to become physicians.

While the existence of racism is poo-pooed by the majority, examples to the contrary persist. In 1976, the *Washingtonian* magazine ran an article in which White middle-class professionals poured out their negative feelings about Blacks. "Can Whites Survive in Chocolate City?" it asked. Most fascinating was that most of the Whites who were interviewed considered themselves liberals.

In a recent *New York* magazine article, J.B. Fuqua, a prominent Atlanta businessman and friend of President Carter, made some startling comments about Blacks. "Philosophically," Fuqua said, "we will have to face the fact that many people in this country are no longer profitable to employ." Fuqua goes on to say that Blacks are "least capable of producing in today's society. You park a certain percentage of them — like antiquated machinery (which you depreciate) — and you support them through welfare. . .which we're doing. [Blacks] say they haven't had the opportunities, but that doesn't change things. The fact is many are not productive. . .they're just not as skillful as the Whites. . ."

Fuqua's comments could be dismissed as one man's opinion except that they are only a less subtle variation of the points promoted by the neo-conservatives, who would tell us there is no racism in America, that Blacks are at the bottom of the heap because they want to be there, that nothing can be done to change the condition of the poor and that any attempt to make changes will only make things worse.

In his influential book, *Affirmative Discrimination*, Nathan Glazer argues that racial discrimination has been conquered. "The judges should now stand back and allow the forces of political democracy in a pluralistic society to do their proper work," says Glazer. The same theme is taken up in a *New Republic* issue on the Bakke case, "Meritocracy and its Discontents." Here we see that "liberals" have closed ranks with "conservatives" on issues of race.

PAPER TIGER

We find ourselves fighting a paper tiger because demands for equality are viewed as a danger to the high standards of society. The implication is that the White male domination of American institutions is the result of a merit system that has simply rewarded the most able. If the decision-making process at ABC or Ford is all White, we are told, it is not necessarily the result of racism. Neither is the fact that no Blacks contributed to the *New Republic* issue on meritocracy.

Integration has given many Blacks the opportunity to work inside White institutions. We have seen enough to know that their meritocracy is a myth, that more than just a few Whites rise to the top for reasons little to do with competence or ability. We know that mediocrity in institutions, corporate and academic, is the rule rather than the exception and that all this talk about the merit system smacks of a 19th century nostalgia for "the natural order of things."

Ultimately, the root of the New Racism is economic — too many people wanting a share — but its implications are political and social.

Kirkpatrick Sale, author of *Power Shift*, a book that predicted the rise of affluence in the Sunbelt, warns about the impact of the neo-intellectuals. "I haven't the slightest doubt," he says, "that when the United States intervenes on South Africa's side in the coming race war in southern Africa, Pat Moynihan

CONTINUED ON PAGE 25

REVOLUTIONARY SUICIDE

Huey P. Newton

"Surviving"

BPP founder and chief theoretician Huey P. Newton describes his third and final trial on false charges of killing a White racist Oakland cop in this section of the chapter "Surviving" from Revolutionary Suicide.

During the third trial everything really went our way. It was the same tired old show all over again — prosecutor Donald Whyte, Herbert Heanes, Henry Grier, and Dell Ross, and their supporting cast.

However, the whole scene had become more and more Kafka-esque. The script did not run the same way, and the first evidence that the plot was changing in our favor came when Officer Heanes forgot his lines.

All through the first and second trials Heanes had said that Gene McKinney and I were the only ones at the scene of the incident besides himself and Frey.

Then, in the third trial, he said that he remembered another person at the scene, a man who had on a light tan jacket but who was not the passenger. This third man came to light while he was being cross-examined by Garry, and when Heanes realized that he had forgotten his script, he became confused and dropped his head in shame.

Shortly after that, when the court took a recess and the jury filed out, the district attorney grabbed Heanes by the collar and scolded him in the open courtroom. Heanes' memory slip had changed everything, and I knew then we would win this one in spite of the testimony of Henry Grier.

A third man. Had Heanes harbored the third man in his memory all this time? Had an amnestic curtain lifted for this policeman who had never been the same since that night? Was the third man the real killer of Frey whom Heanes had covered up for all these years?

Had the state given up, and was the introduction of the third man their way out? The questions were academic now, the state's motives and conspiracies banal and irrelevant.

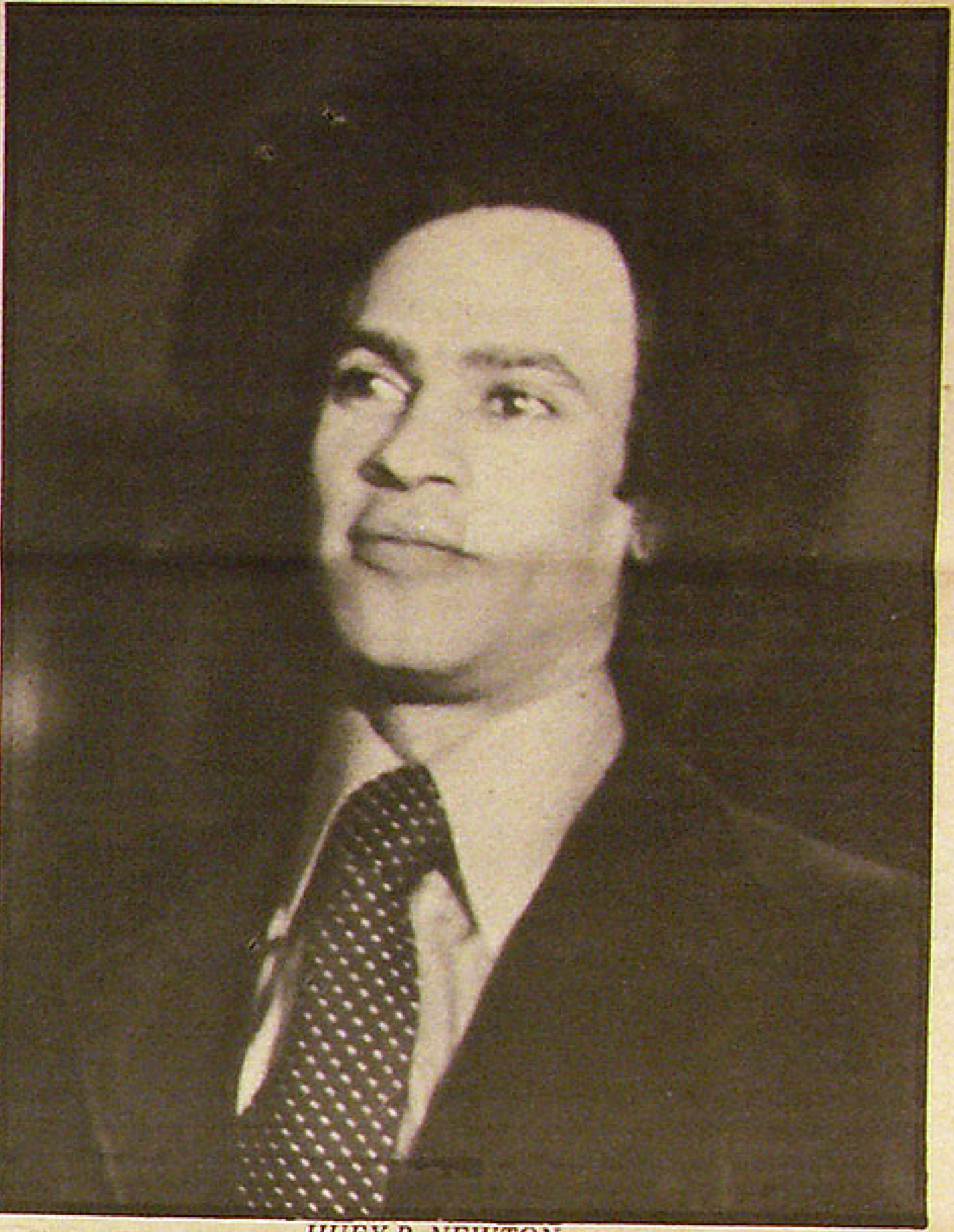
When it came time for the defense to present its case, Garry was ready with a special surprise for the prosecution: he was going to disprove the entire testimony of Henry Grier. Our surprise had been carefully prepared during the first and second trials, and now we were ready to bring it out. *Henry Grier had never been at the scene of the October 28 shooting.*

During Garry's cross-examinations of the prosecution witnesses, especially the police who were there that morning, he had been careful always to ask about the location of and get a description of every person and every object within a radius of 60 yards from the scene of the shooting.

He had asked each policeman to describe everything he had observed when he arrived. Not one policeman would say he saw a bus. Why? Because there was no bus. None of them was willing to perjure himself, though all of them were willing to let the bus driver commit perjury.

Charles Garry called to the stand the one man who was able to verify Grier's route and time schedules the night of the incident — the supervisor for the bus company. We had wanted the supervisor to testify in the earlier trials, but we were also afraid that he might lie and support the perjury of Grier. Still, we wondered why the prosecution had not brought in the timer and supervisor to back up Grier's story.

We were still cautious about using his testimony during the second trial, but we began to gather all the evidence of the effect that in the space of 60 yards in every directon no policeman had seen a bus. In the first trial we were even afraid to bring in these measurements because we thought they might spring the supervisor on us, so we waited and waited, making an airtight



BPNS photo

HUEY P. NEWTON

case against Grier before we finally discredited his testimony.

Grier had testified that he was within 10 feet of the whole incident, that he had driven up in his bus and braked very near to the parked automobiles, and had seen the shooting clearly. With a 60-foot bus so close to the scene, it would be difficult for a policeman to miss it, and yet not one of them testified to seeing it.

When we became sure of our evidence, we called in the bus superintendent, and he testified that according to the company records of the route Grier followed and Grier's own time schedule, it was impossible for Grier to have been at his checkpoints and also at the scene of the shooting. According to the supervisor's records, Grier must have been at least one and a half to two miles away at the time of the incident.

Thus the bus supervisor backed up the police who testified for the prosecution: there was no bus on the scene.

PROSECUTION'S CASE

The prosecution's case was steadily growing weaker. First Ross, now Grier. This time the jury deadlocked 6-6, and the judge finally had to declare another mistrial. I was summoned to appear in court again on December 15 to have the date set for a fourth trial, but I felt sure the charges would be dropped because the prosecution's main witnesses were no longer credible. I was right.

At the hearing on December 15, Lowell Jensen appeared in court. I had not seen him since my bail hearing during the summer of 1970. After the judge opened the proceedings, Jensen rose to speak, saying that he had never thought he would see the day when he would be in court asking for a dismissal of my case. The judge looked at him. "Are you asking for a dismissal in the interest of justice?" he asked, using the proper legal terminology.

TO BE CONTINUED

Interview With Black Exiled Student Leader, Selby Semela

"THE MOMENT IS RIGHT TO SEIZE FREEDOM IN SOUTH AFRICA"

Selby Semela, the exiled treasurer of the South African Students Movement (SASM) who played a prominent role in the June, 1976, Soweto rebellion, recently returned to the Bay Area after a seven-month absence. In the following exclusive BLACK PANTHER interview, Selby discusses the latest developments in his country and the current status of the liberation struggle there.

QUESTION: Steve Biko's assassination has had a profound influence on the South African liberation struggle. What changes, if any, has it brought about?

SELBY: Steve's death did not shock some of us. I knew him personally and the kind of work he was involved in. Obviously, the Boers (the ruling White South Africans of Dutch descent) did not know who Steve was. They did not understand his importance.

Steve was a revolutionary; he never believed in negotiations. He was a good writer, and he got his message across to the masses. His ideas were really fantastic.

When I learned of his death, I was in Botswana. His death was a reminder to me and my people that the Boers are determined and are prepared to fight to the bitter end. The only way out for my people is to fight them.

I believe that the Boers are there to unite and conscientize us. They are unified, so we must unite ourselves and fight the common enemy.

Q: Why did the South African government carry out the October 19, 1977, crackdown, in which several Black political organizations were banned along with two of the country's largest Black newspapers, the *World* and the *Weekend World*?

SELBY: The Boers were really desperate. I look at this crackdown on two levels. First, it immobilized people. We couldn't hold public meetings like we did before, we couldn't demonstrate, we couldn't do anything.

For instance, we were working with a brother in the Soweto Students Representative Council (SSRC). He was sentenced to 30 years on Robben Island (a maximum security prison where several Black South African activists are detained) just for distributing an SSRC pamphlet. That was done as a warning to people who defy the law.

Black organizations in South Africa, such as the Black Parents Association (BPA), Black People's Convention (BPC), the South African Students Organization (SASO), South African Students Movement (SASM), and others, believe in fighting. They are revolutionaries, not just intellectuals.

In the past, whenever they wanted to take positive steps, before passing such resolutions, they would think about being banned. Therefore, they were careful of their deeds so as to secure their banners.

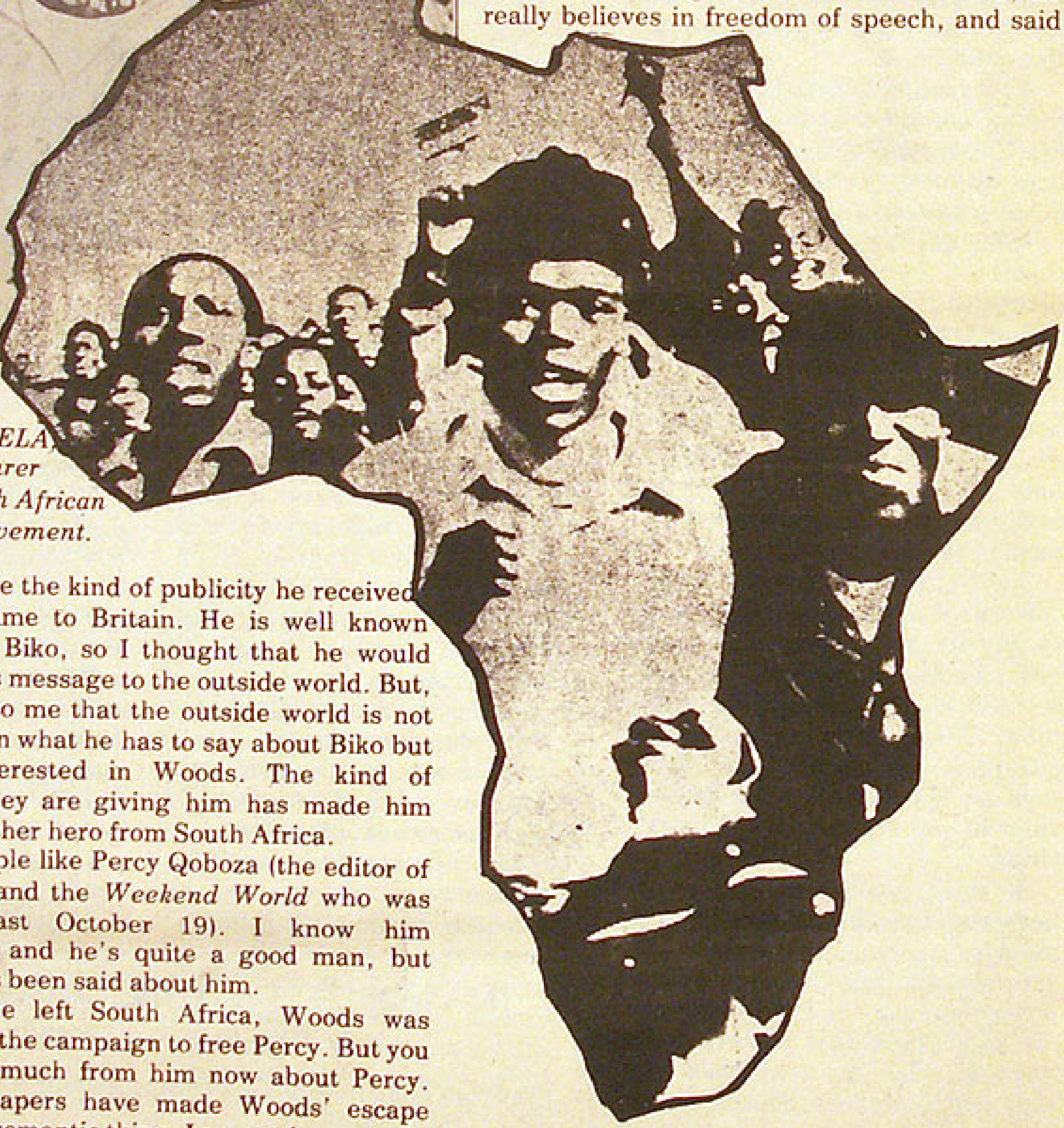
Now that they are banned, however, they have nothing to be afraid of. Whenever they want to do something, they can just do it.

The crackdown forced people to take positive steps. People are ready to stop shadow boxing and to engage themselves in real boxing because to me, lip service is just shadow boxing. People have to take up arms and fight their enemy.

Q: What are your views about the escape of White newspaper editor Donald Woods from South Africa?

SELBY: Donald Woods is a well-known White liberal and one of the Whites who knew Biko personally. As far as I'm concerned, there's nothing bad about him. He's just a liberal.





SELBY SEMELA exiled treasurer of the South African Students Movement.

I didn't like the kind of publicity he received when he came to Britain. He is well known because of Biko, so I thought that he would carry Biko's message to the outside world. But, it appears to me that the outside world is not interested in what he has to say about Biko but is just interested in Woods. The kind of publicity they are giving him has made him merely another hero from South Africa.

Take people like Percy Qoboza (the editor of the *World* and the *Weekend World* who was arrested last October 19). I know him personally, and he's quite a good man, but nothing has been said about him.

Before he left South Africa, Woods was involved in the campaign to free Percy. But you don't hear much from him now about Percy. The newspapers have made Woods' escape into a very romantic thing. I am not impressed.

Right now everyone wants to get firsthand information about South Africa. This is a time when Woods could have taken the opportunity to really tell people about Biko and the feelings of Blacks in South Africa, about Percy Qoboza and other things. In a few months, Woods will lose the position he has now and will be just another South African in exile. I felt that this was the right moment for him to tell the outside world about some of the things people are not aware of.

Woods supports the struggle to free South Africa, but he won't involve himself in anything that's violent. He's dreaming. I know people who are more involved than he is.

Maybe here in the United States people are still struggling for civil rights. In South Africa, we are not fighting for civil rights or for social rights. We are fighting for our *natural* rights, and that's a different thing. We want a complete change.

Whenever you listen to the Voice of America talking about southern Africa, they talk about majority rule in Zimbabwe (Rhodesia), majority rule in Namibia but change in South Africa. This really makes me mad. What kind of change are they talking about? We want complete change. We want to see power in the hands of the people.

Q: Could you tell us more about Percy Qoboza?

SELBY: As you know, the *World* was the one and only newspaper for Blacks in South Africa. Qoboza is a very intelligent man. He could see what was coming. He was not a coward; he really believes in freedom of speech, and said what he thought and believed. He is a man who stands his ground and won't compromise anything. He was trying to give the people a picture of what was happening in South Africa.

Considering the situation as it is now, there are not many people who can do the kind of work Percy was doing, work in which you risk your life and anything can happen to you at any time. Percy knew that one day he was going to be detained, and he was prepared for it. He is very determined. He believes in complete change, not just social change.



Schoolchildren protesting against apartheid and (below) young child in South African "township" of Soweto.

Q: What is your opinion of the recent United Nations arms sanctions imposed against South Africa?

SELBY: I was in Botswana at the time the sanctions were imposed, and I was shocked at the way people reacted. Absolutely none of the students I was with were excited over that move. They thought it was just window dressing by the Western countries, like the United States, that have been supplying arms to South Africa all along. Now that South Africa is self-sufficient in arms production, they decide to impose an embargo.

If the U.S. government really wants to bring the South African regime down, they could create economic sanctions. In fact, when ("Prime Minister" John) Vorster first heard of the move, he said it was "irrelevant." The arms sanctions didn't scare him but when you talk about economic sanctions, he thinks twice about it. This is something that can really bring South Africa down.

White people may think that the U.S. is busy doing something, but it really is not. Vorster's existence is the work of the Western imperialist powers — the U.S., Britain, France, and West Germany. We cannot fight Vorster as long as the U.S. is supporting him.

If the U.S. would impose trade sanctions against South Africa, other countries would follow. I think that our brothers and sisters in the U.S. have a critical role to play in our struggle. They can engage in an effective campaign against South Africa.

Q: Now that Vorster has been "reelected," what kind of actions can we expect in the future from the Nationalist Party?



SELBY: South Africa is an utter dictatorship. There is no opposition party and no concessions have been made. Black people who believe one day there is going to be "one man, one vote" are misled. The Boers are going to fight to the bitter end. They are going to fight until the last White man drops dead.

I know their kind. They are fascists, they are sick. Their beliefs are injected deep down inside of them. They really believe they are superior to Black people.

Q: What are the feelings of the people in Bothuphatswana, the "homeland" that recently became "independent"?

SELBY: The people there are divided. I don't believe that the chief, Mangope, has the support of even 50 per cent of the people. Some people left Bothuphatswana and went to Botswana or to the far north in South Africa.

You can imagine the state of political consciousness today in South Africa. People know what is contained in the "homelands"; they know that "homeland" leaders are puppets of the government.

SCHOOL BOYCOTT

Q: How is the school boycott progressing?

SELBY: The boycott is continuing. N.C. Botha, the outgoing "minister of Bantu (Black) education," is not going to change the system. He said, and I quote him, "The best I can do is change the name from Bantu education to something else." The government is not going to make any concessions, and so the students are not going back to school.

A few weeks ago the residents of Soweto held a meeting and decided to start their own schools. The community will pay the teachers. What they are trying to put across is that they can do without the government. The government is panicking and may clamp down at any time, but the people are determined. Black people in South Africa know that this is the right moment to seize their freedom, and they are not going to let it go.

The people are not going to wait for any organization to come and liberate them. Their message is quite clear: "We are our own liberators." People from the outside who come to help us won't find us on the first step; they will have to join us on the battlefield. There is no looking back; everyone is looking forward. □

THE BLACK PANTHER PARTY PROGRAM

MARCH 29, 1972 PLATFORM

WHAT WE WANT, WHAT WE BELIEVE

1. WE WANT FREEDOM. WE WANT POWER TO DETERMINE THE DESTINY OF OUR BLACK AND OPPRESSED COMMUNITIES.

We believe that Black and oppressed people will not be free until we are able to determine our destinies in our own communities ourselves, by fully controlling all the institutions which exist in our communities.

2. WE WANT FULL EMPLOYMENT FOR OUR PEOPLE.

We believe that the federal government is responsible and obligated to give every person employment or a guaranteed income. We believe that if the American businessmen will not give full employment, then the technology and means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. WE WANT AN END TO THE ROBBERY BY THE CAPITALIST OF OUR BLACK AND OPPRESSED COMMUNITIES.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules were promised 100 years ago as restitution for slave labor and mass murder of Black people. We will accept the payment in currency which will be distributed to our many communities. The American racist has taken part in the slaughter of over fifty million Black people. Therefore, we feel this is a modest demand that we make.

4. WE WANT DECENT HOUSING, FIT FOR THE SHELTER OF HUMAN BEINGS.

We believe that if the landlords will not give decent housing to our Black and oppressed communities, then housing and the land should be made into cooperatives so that the people in our communities, with government aid, can build and make decent housing for the people.

5. WE WANT EDUCATION FOR OUR PEOPLE THAT EXPOSES THE TRUE NATURE OF THIS DECADENT AMERICAN SOCIETY. WE WANT EDUCATION THAT TEACHES US OUR TRUE HISTORY AND OUR ROLE IN THE PRESENT-DAY SOCIETY.

We believe in an educational system that will give to our people a knowledge of self. If you do not have knowledge of yourself and your position in the society and the world, then you will have little chance to know anything else.

6. WE WANT COMPLETELY FREE HEALTH CARE FOR ALL BLACK AND OPPRESSED PEOPLE.

We believe that the government must provide, free of charge, for the people, health facilities which will not only treat our illnesses, most of which have come about as a result of our oppression, but which will also develop preventative medical programs to guarantee our future survival. We believe that mass health education and research programs must be developed to give all Black and oppressed people access to advanced scientific and medical information, so we may provide ourselves with proper medical attention and care.

7. WE WANT AN IMMEDIATE END TO POLICE BRUTALITY AND MURDER OF BLACK PEOPLE, OTHER PEOPLE OF COLOR, ALL OPPRESSED PEOPLE INSIDE THE UNITED STATES.

We believe that the racist and fascist government of the United States uses its domestic enforcement agencies to carry out its program of oppression against Black people, other people of color and poor people inside the United States. We believe it is our right, therefore, to defend ourselves against such armed forces and that all Black and oppressed people should be armed for self-defense of our homes and communities against these fascist police forces.

8. WE WANT AN IMMEDIATE END TO ALL WARS OF AGGRESSION.

We believe that the various conflicts which exist around the world stem directly from the aggressive desires of the U.S. ruling circle and government to force its domination upon the oppressed people of the world. We believe that if the U.S. government or its lackeys do not cease these aggressive wars that it is the right of the people to defend themselves by any means necessary against their aggressors.

9. WE WANT FREEDOM FOR ALL BLACK AND OPPRESSED PEOPLE NOW HELD IN U.S. FEDERAL, STATE, COUNTY, CITY AND MILITARY PRISONS AND JAILS. WE WANT TRIALS BY A JURY OF PEERS FOR ALL PERSONS CHARGED WITH SO-CALLED CRIMES UNDER THE LAWS OF THIS COUNTRY.

We believe that the many Black and poor oppressed people now held in U.S. prisons and jails have not received fair and impartial trials under a racist and fascist judicial system and should be free from incarceration. We believe in the ultimate elimination of all wretched, inhuman penal institutions, because the masses of men and women imprisoned inside the United States or by the U.S. military are the victims of oppressive conditions which are the real cause of their imprisonment. We believe that when persons are brought to trial that they must be guaranteed, by the United States, juries of their peers, attorneys of their choice and freedom from imprisonment while awaiting trials.

10. WE WANT LAND, BREAD, HOUSING, EDUCATION, CLOTHING, JUSTICE, PEACE AND PEOPLE'S COMMUNITY CONTROL OF MODERN TECHNOLOGY.

When, in the course of human events, it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

Intercommunal News

S.W.A.P.O. Rejects South African-Sponsored "Elections" In Namibia

(Luanda, Angola) - South Africa announced last week that "elections" to prepare for an "independent" Namibia would be held within six months. The polling is to take place under the guns of the South African Army.

With an "internal settlement" attempt in the works in Rhodesia, Western imperialism is pressing hard for a neocolonial counterpart for South African-occupied Namibia. "Prime Minister" John Vorster's "concession" is a component of that effort,



Namibia's liberation struggle, led by SWAPO, is fighting for true independence from South Africa.

writes Sara Rodrigues in the *Guardian*.

In Namibia as in Rhodesia, however, the West, the racist minority regimes and their puppet collaborators are reckoning without the masses and their fighting people's armies.

An intense diplomatic drive for a Namibian settlement has been launched by the "big five" Western members of the U.N. Security Council. Their principal obstacle — and target — is the South West African People's Organization (SWAPO), recognized by the U.N. and Organization of African Unity (OAU) as the sole legitimate representative of the Namibian people.

The Western "Contact Group" — the U.S., Britain, France,

CONTINUED ON PAGE 24



Far left, Angolan factory worker, MPLA President AGOSTINHO NETO cutting sugar cane, and member of the Organization of Angolan Women (OMA).

M.P.L.A. REPORT WARNS CONDITIONS "STILL GRAVE"

1977 — STEADY ECONOMIC RECOVERY IN ANGOLA

The following article, reprinted from the Sunday News *of Dar es Salaam, Tanzania, was prepared by the ruling Popular Movement for the Liberation of Angola (MPLA) and outlines Angola's economic progress since independence two years ago.*

(Dar es Salaam, Tanzania) - On November 11, 1975, Angola was an underdeveloped country, dependent on imperialism.

In effect, the country which the MPLA liberated from colonialism was characterized by a low level of productive forces, great distortions in the development of the various economic sectors, large disproportions between various regions of the country, an extremely high rate of illiteracy and a high mortality rate.

About 85 per cent of the work forces was involved in agriculture and the greater part of the population was living in an almost subsistence economy with rudimentary work tools, to which was counterposed the economy of large relatively developed capitalist companies which were producing goods for exportation.

Within the logic of colonial exploitation the sectors which were developed were principally those linked to the extraction of raw material (petroleum, diamonds and iron) and to the production of plant raw materials (coffee, cotton, timber, sisal), which were exported at very low constantly rising prices.

On the other hand, a determined part of our country's

BY CONTRAST

By contrast finished products were imported — many of these made exclusively from Angolan raw materials — at very high and foreign trade fell to a small number of capitalist countries. For example, in 1973, 54 per cent of the overall value of our exports went to Portugal and the United States, a fact which made the economy still more vulnerable and dependent.

The standard of living of the majority of the population was extremely low. More than 90 per cent of the population was illiterate, and life expectancy was 35 to 40 years.

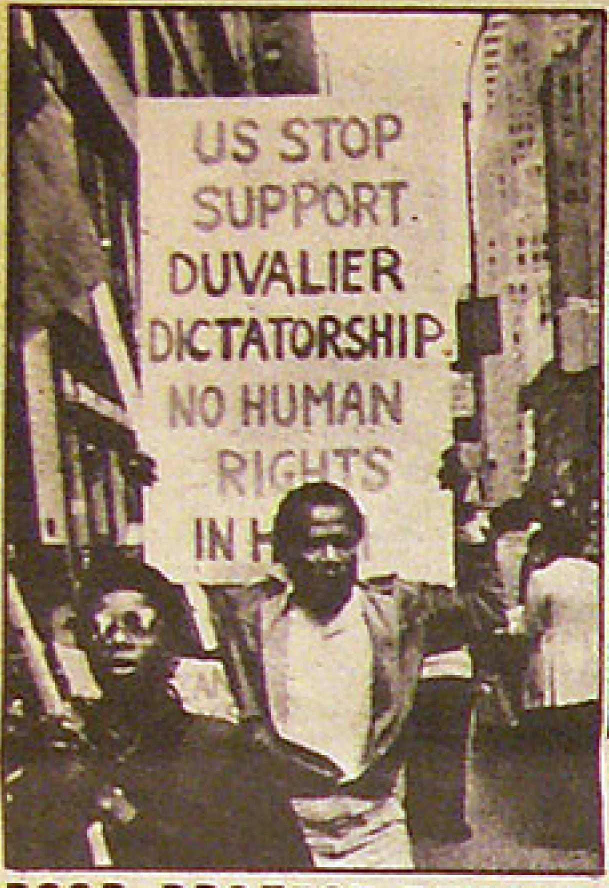
The situation was aggravated by the Second War of Liberation. Imperialist aggression provoked the destruction of more than 130 bridges, more than 20 lorries (that is, more than 80 per cent of the existing stock) and most of the existing construction equipment and agriculutral machinery — apart from the destruction of airports and communication networks and the slaughter and theft of hundreds of thousands of head of cattle.

Thus the situation which we inherited on November 11, 1975, was marked by a general downfall in production, productivity and intensity of work; by a big crisis of authority and consequent indiscipline in all domains of national life; by the abandonment of many enterprises by their official owners; by massive flight of cadres; by the majority of companies suffering losses and paralysis; and by difficulty in supplying consumer and producer goods.

This situation was further made worse by the fact that imperialist forces occupied a large part of the national territory.

Right after independence, the MPLA and the government of the People's Republic of Angola (RPA) began efforts in terms of ameliorating the country's social-economic situation and in terms of bettering our people's living conditions.

CONTINUED ON PAGE 24









Under the regime of JEAN-CLAUDE DUVALIER, thousands of Haitians are suffering.

POOR PROTEST DUVALIER DICTATORSHIP

STARVING HAITIANS RANSACK FOOD STORAGE WAREHOUSES

(New York, N.Y.) - The stark poverty and deprivation rampant in famine-struck Haiti was brought into sharp focus Christmas Eve when thousands of hungry protesters ransacked food storage warehouses in two cities.

The fascist Duvalier regime was forced to send truckloads of soldiers to Gonaives to put down riots that erupted in that city, 70 miles north of the capital of Port-au-Prince.

And travelers arriving in New York City recently reported that more than 10 people were shot after soldiers fired on demonstrators in Port-au-Prince.

The food riots are but the latest indication of a swelling mood of unrest among peasants and urban workers that has put the brutal dictatorship of the Duvalier family on the defensive. Numerous strikes and newspaper shutdowns have occurred in recent months, the *Guardian* reports.

The ransacked cans and sacks of food were stocked by CARE and other foreign aid sources. This strings-attached "humanitarian" assistance was stored and never distributed although it had been sent to alleviate the drought and famine that has plagued Haiti. The notorious and rampant corruption among Duvalier forces prevented distribution of the food.

Haitian exiles in the U.S. have received unconfirmed reports that as a result of the rioting, a curfew was imposed in the capital city of 625,000 people. The curfew prevented the traditional receipt of telephone calls from relatives outside of Haiti.

(Around one million Haitians live in other parts of the world. The island's population is about 4.9 million.)

There is only limited use of home telephones in Haiti and most residents go to the central telephone office to receive their once-a-year Christmas Eve calls.

As the régime enters its 21st year of rule, first under president-for-live Francois (Papa Doc) Duvalier and now under his son Jean-Claude (Baby Doc), it has heightened a public relations campaign aimed at polishing up its tarnished image as one of the Western hemisphere's most terrifying violators of human rights.

But despite reports of an easing of terror under Baby Doc, recent workers' actions and press intimidations show the so-called liberalization to be of little substance.

JOB ACTIONS

The most recent job actions, staged in defiance of strict laws forbidding any organized labor activity, include a one-day strike by workers November 30 at a subsidiary plant of Reynolds Metal Company. Some 200 strikers there demanded the reinstatement of three workers dismissed by the company for protesting working conditions.

It was the fifth such labor dispute in Haiti in two months and it struck at the core of Haiti's economy. Reynolds gets 14 per cent of its bauxite — Haiti's third largest export — from the struck plant.

In late September, while week-long celebrations of the 20th anniversary of the regime were taking place, taxi drivers tied up traffic in front of the presidential residence in Port-au-Prince.

The drivers were protesting efforts by a local government official to enforce regulations limiting the drivers' routes. It is widely believed his efforts were part of an attempt to keep drivers from his own company on the routes.

In August, workers at the country's main sugar plant, Hasco, struck to protest low wages and harsh working conditions. Sugar is the country's second largest export. In an unusual move, the workers ousted the leadership of the government-installed workers' organization.

The same month, workers rose up against Ciment d'Haiti, a French-owned cement factory, demanding that the management be expelled from the country for insulting workers. This was the second strike at the plant in as many years. After the first strike, many of the leaders were imprisoned.

Earlier last year, 200 women employed by the Rawlings Company, manufacturers of sports goods, struck for five days demanding higher wages. The women made $1.20 a day, and along with large numbers of children, made up nearly all of the company's employes.

And last year, 600 peasants of Bocozelle, a village in northern Haiti, stood up with knives and machetes against the expropriation of their food crops and lands. Increasingly, these popular uprisings have included political as well as economic demands.

The recent harassment of a number of newspapers was apparently aimed at silencing even the most timid critics of Duvalier. It follows a brief period of relative leniency at least partially attributable to U.S. Ambassador to the U.N. Andrew Young's mild admonishments to the Haitian government for its human rights violations last September.

Press crackdowns include the shutting down of *Hebdo-Jeune*

CONTINUED ON PAGE 24

Africa In Focus

Zimbabwe

(Maputo, Mozambique) - Patriotic Front co-leader Robert Mugabe has urged the freedom fighters of the Zimbabwe People's Army (ZIPA) to step up the armed struggle and hit hard at the racist Ian Smith regime of Rhodesia in 1978. In a New Year's message, Mugabe — who is secretary-general of the Zimbabwe African National Union (ZANU) — called on the people of Zimbabwe to make 1978 "the people's year — the year the oppressed masses have been totally and effectively mobilized in every village, district, province, city, town, mine or farm into supporting the war as their war. Let us give him (the enemy) no rest. Let us chase him into every corner," Mugabe declared.

Rhodesia

(Salisbury, Rhodesia) - "Prime Minister" Ian Smith is allegedly ready to accept a minority role for Whites in Parliament in the future Black-ruled Zimbabwe, sources within the ruling Rhodesian Front party said here last week. The White rebel leader called a special meeting of his parliamentary caucus to brief them on the progress made in his "settlement" talks with Black puppet leaders Bishop Abel Muzorewa, Rev. Ndabaningi Sithole and Chief Jeremiah Chirau. Great Britain's resident commissioner designate to Rhodesia said that no settlement Smith reaches with the three men would be recognized internationally or end the armed struggle, unless the Patriotic Front is included.

South Africa

(Cape Town, South Africa) - The family of Steve Biko will collect $11,500-$12,500 from a life insurance policy if it can be proven that the Black Consciousness Movement (BCM) founder did not commit suicide. A spokesperson for the insurance company said that Biko, who was murdered by South African security police on September 12 while in detention, took out a policy on his life, on which his family has filed a claim. Two weeks ago, Biko's widow Ntsiki and his mother Alice initiated a civil suit against two government officials in which they are demanding $204,700 for Biko's murder.

"WE NEED EQUALITY"

Henry Ford Visits South African Factory

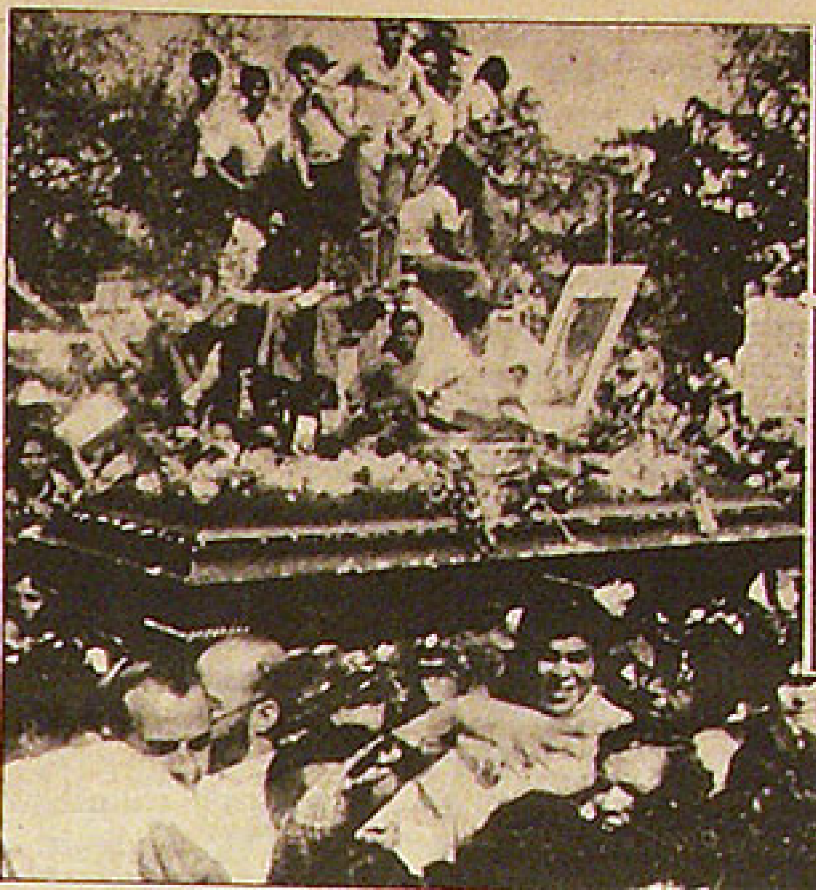
(Port Elizabeth, South Africa) - American automobile czar Henry Ford II visited one of his company plants here last week amid rumors that he planned to discuss upgrading the status of the 1,100 Black workers employed by the Ford Motor Company of South Africa, Ltd.

Vapi Mzongwana, a 26-year-old production-line worker at the Struandale plant, was busy working at the time of Ford's visit but told the *New York Times* about the unsatisfactory conditions Black employees endure.

"I would tell him (Ford) that we need better opportunities and more money," Mzongwana said while pausing as a line of sporty Cortina models moved slowly along the assembly line. "I would tell him that we need more equality."

Despite a company spokesperson's claim that, "There are no skeletons in our closet," regarding on-the-job discrimination, several Black workers interviewed by the *Times* at the Struandale company agreed with Mzongwana's assessment. They were firm in their conviction

CONTINUED ON PAGE 22





Left, funeral of Nicaraguan editor Pedro Chamorro. His brutal killing set off riots in Managua, Nicaragua.



MURDER TOUCHES OFF MASSIVE TWO-DAY UPRISING, HINT U.S. INVOLVEMENT

ANTI-SOMOZA EDITOR ASSASSINATED IN NICARAGUA

(Managua, Nicaragua) - This Latin American capital city was torn by a violent two-day uprising following the assassination of a leading critic of the dictatorship of President Anastasio Somoza, highly respected Nicaraguan editor Pedro Joaquin Chamorro, who was killed in a hail of machinegun and rifle fire here last week.

The 53-year-old editor and publisher of *La Prensa*, the country's only opposition paper — which is widely-read throughout Latin America — was shot 22 times by three men in a car who forced his auto to the curb in downtown Managua.

One of three men arrested in the murder of Chamorro told police a naturalized American paid him $15,000 to arrange the assassination, Somoza announced at a news conference on January 13, three days after the killing.

Silvio Rivas Pena charged that Pedro Ramos, a Cuban exile who fled Cuba several years ago and now lives in Miami, Florida, paid him the money.

Enraged mourners escorting Chamorro's coffin to his newspaper office broke off from the procession and burned two Somoza-owned businesses. The customs building and 18 businesses were set afire prior to Chamorro's funeral, causing an estimated $7 million in damage.

One demonstrator was killed as police used tear gas and fired machine guns to break up the protest. Several demonstrators were injured, some of them being trampled by the crowd fleeing the police assault.

During a six-mile procession from a hospital to Chamorro's residence an estimated 25,000 Nicaraguans followed behind the coffin, carried on the shoulders of weeping mourners.

A crowd of 50,000 massed in front of Chamorro's home to file past his glass-topped coffin.

The body of the *La Prensa* editor, wounded 22 times in the face, chest, arms and throat, was later taken to the headquarters of the Democratic Union of Liberation, a coalition of anti-Somoza political parties founded by Chamorro, to the journalists' union, and then to the office of *La Prensa*, to lie in state.

In an attempt to sabotage the funeral, authorities ordered services held nearly three hours early, curtailed bus service, allowing only 30,000 of the expected 100,000 mourners to be present. Thousands arrived after the funeral, but police patrols kept them from reaching the cemetery.

Chamorro's widow, Violeta Barrios, accompanied at the funeral by her three children, joined the crowd in shouting, "Viva Pedro Joaquin Chamorro!" The crowd also chanted, "Muera Somoza" ("Death to Somoza"), and "Viva el FSLN." FSLN is the Sandinista Liberation Front, a

CONTINUED ON PAGE 22

CHALLENGE APARTHEID

Non-White Political Alliance Formed In South Africa

(Ulundi, South Africa) - The leader of South Africa's largest Black tribe, the Zulus, last week joined with Asian and Colored (mixed race) leaders in forming a political alliance to challenge the White minority regime's apartheid policies.

Zulu Chief Gatsha Buthelezi, Sonny Leon, head of the Colored Labor Party, and Y.S. Chinsamy, head of the Indian Reform Party, announced the formation of the non-White alliance at a meeting of Inkatha, the Zulu Cultural Movement. The three men called for a non-racial state and a new constitution.

There was no immediate comment on the announcement from leaders of the country's major Black political organizations, such as the Soweto Students Representative Council (SSRC), the South African Students Movement (SASM), the Pan Africanist Congress (PAC), the African National Congress (ANC) and others.

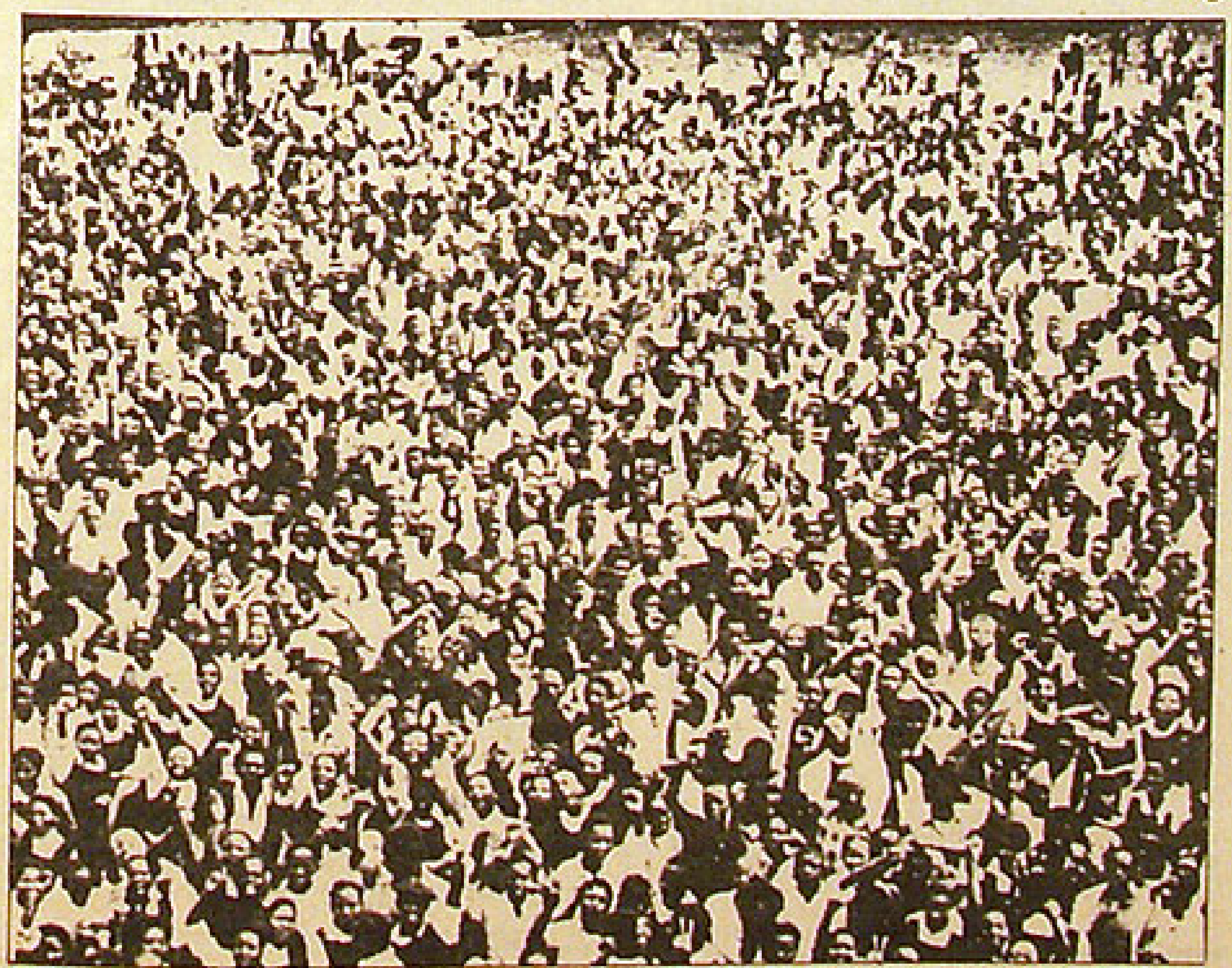
BANNED

These groups, which were among those banned by the White minority government last October 19, consider Buthelezi a puppet leader who is collaborating with the government.

Buthelezi, whose Zulu tribe numbers 5.5 million, organized the meeting despite a warning last November from "Justice Minister" James Kruger of a possible "bloodbath" if non-Zulus were brought into Inkatha.

Following the three-hour meeting here at the traditional

CONTINUED ON PAGE 24



Mass rally against apartheid in South Africa.

Community School

CONTINUED FROM PAGE 4

The primary skills groups in the School, Levels 1-3, learn the basic concepts of geography. They discover that they live on the planet earth, a round body made up of land spaces, land forms and bodies of water.

To help the children gain an understanding of their immediate physical environment, Social Science classes in the primary skills levels include learning simple and complex directions and commonly known community landmarks. The children begin by taking walks throughout their school and the nearby community.

Primary skills students, who generally range in age from 2½-5½, are also given a broad understanding of the different races of people who live on earth and the reasons for the differences in their physical appearances.

The children begin to understand the concept of human institutions and that human beings must act in conjunction with each other in order to reproduce the species, grow and produce food. They start to view their own work and play in their homes and at school as a function of human interaction.

In addition, the Social Science curriculum at this stage introduces the institution of the family as the basic unit in any society.

History in the primary skills classes involves understanding the time concepts of past, present and future. Telling time, covered in the School's Mathematics curriculum, is reviewed in primary skills history classes.

Once the children gain a general understanding of the term history, they begin to see how it applies to their own lives. Class sessions may involve the children sharing pieces of information about their own personal histories.

In the area of economics, primary skills students learn about the meanings of use, and misuse of money (capital) and the concept of exchange. They also begin to understand how societies produce goods and the meaning of profit versus need.

The elementary level OCS Social Science classes, Levels 4-6, study in depth the basic concepts introduced in the primary skills classes.

In geography, Levels 4-6 study the physical changes that have taken place and are still taking place in land formations and their causes and effects. The children study continents, selected countries, major world cities and learn how to read and use maps.

At this stage, the children begin to study world history, beginning with ancient African, Asian, South American and European civilizations. Exposure to the European Renaissance and the rise of European colonialism provides the children with an historical perspective on racism and imperialism.

At Levels 4-6, the emphasis in history moves to North America, the establishment of the 13 colonies and the founding of the U.S. The European conquering of the Native American population and the enslavement of Africans is also studied.

In their study of societies, children in Levels 4-6 learn that a society is made up of communities and that communities are a collection of institutions. They are exposed to the different cultures of countries and the different world approaches toward education and religion.

Economics classes teach the children the history of money, beginning with the bartering system. They learn the method by which products are distributed in America and gain a basic understanding of the types of goods produced in California.

A unique feature of Social Science classes at the OCS is the use of lively stories that teach the children about world and American history. The stories not only reinforce the concepts the curriculum is attempting to get across but enlivens the study of Social Science for the children.

TO BE CONTINUED

World Scope

England

(London, England) - Britain is in the grips of a nationwide controversy over the recent acquittal of John Read, a former leader of the fascist National Front who now heads the ultra right-wing Democratic National Party, who was charged with inciting racial violence. Hundreds of progressive members of Parliament have demanded the dismissal of the presiding judge, Neil McKinnon, who instructed the jury to disregard Read's use of the words "niggers, wogs and coons" in a speech calling for the deportation of all non-White immigrants. Critics of Judge McKinnon have charged that Read's speech, in which he referred to a killing of an Asian by another Asian, and said "one down and a million to go," was a clear incitement to murder. Lord Elwyn Jones, the lord chancellor, who is head of the judiciary, has intervened and was scheduled to render a decision last week.

Morocco

(Rabat-Sale, Morocco) - A Moroccan woman died in prison last month during a six-week hunger strike by several political prisoners. The dead activist, Saida Menebhi, and the other prisoners, who were protesting torture and intolerable prison conditions, ended their strike last month after the regime of King Hassan was forced to concede some of their demands.

Iran

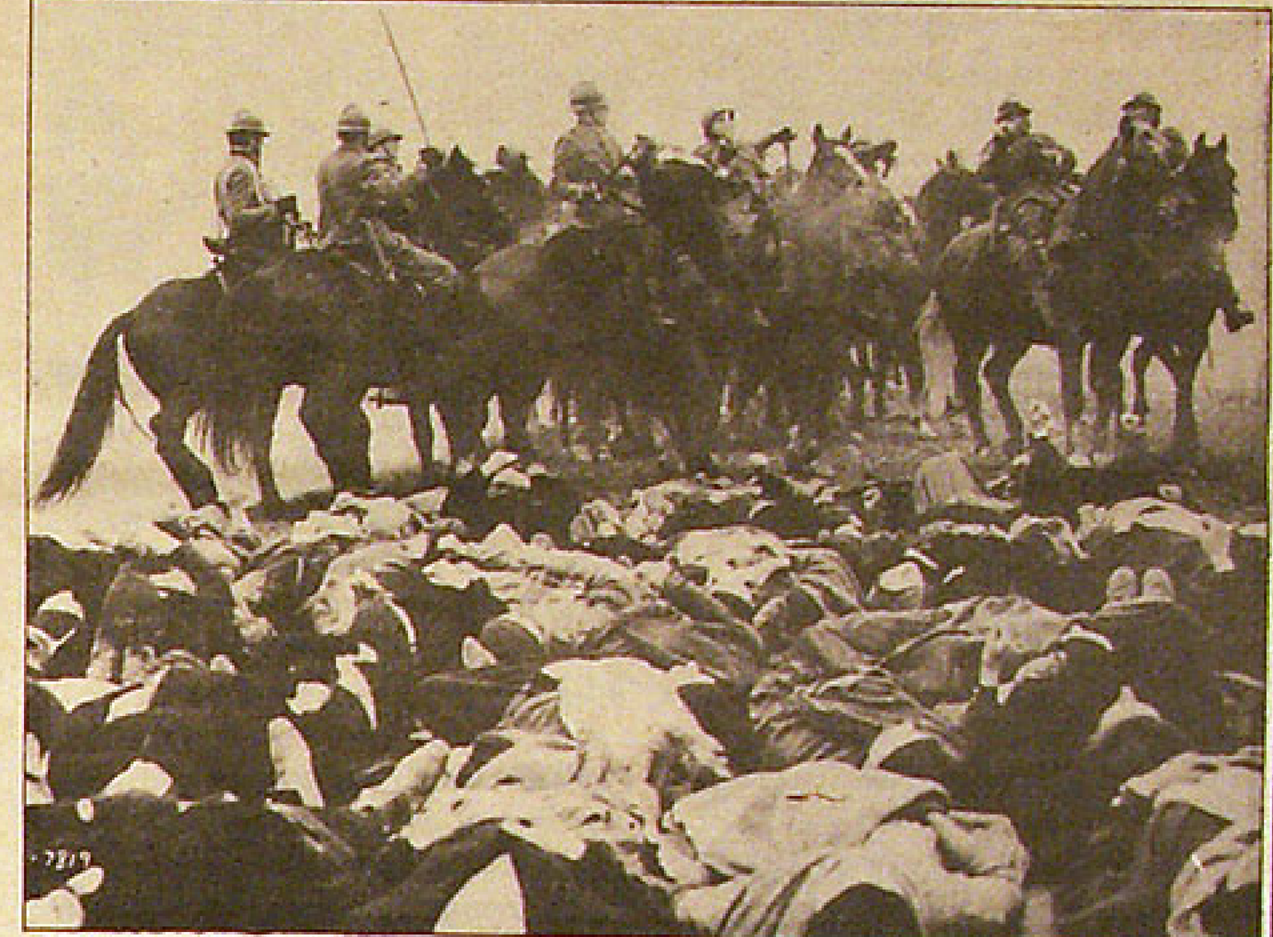
(Qum, Iran) - Iranian police killed 20 Moslem demonstrators here January 9, in an attack on 300 theology students. Shops were shut down to protest the mass murders, as authorities arrested about 70 persons and closed schools and mosques. The demonstration was called to protest police action two days earlier in breaking up a sit-in by theology students, in turn staged to protest government propaganda against an exiled Moslem Leader.

P.L.O.

(London, England) - Some 400 mourners attended funeral services here for slain Palestine Liberation Organization (PLO) representative Said Hammami on January 7. The mourners, who chanted victory slogans and sang Palestinian anthems, charged that the slain patriot was killed by Zionist and Israeli agents.

ENTERTAINMENT

1900: SWEEPING, DAZZLING, VISIONARY





Left to right, striking peasants confront military troops; Aflredo, the grandson of the padrone, Olmo, the grandson of the peásant patriarch and Attila, the local fascist, play key roles in "1900."

Why should a Black audience go to see 1900, a four-hour and five-minute tale of class struggle between peasants and landlords spanning over four decades in a northern Italian province?

Quite simply, because 1900 is a truly fine, great motion picture, — an inspiring, dazzling, visionary film of awesome power and majestic beauty, passionate in its dedication to "The People," hard-hitting in its depiction of the sexual and moral depravity of the affluent and their lackies, the fascists.

1900 is a spellbinding, sweeping panorama of struggle and sacrifice, of life and death, of an ultimately unresolved contradiction played out between the haves and the havenots that forms the very fabric of the 20th century.

The film follows the growth and development of two men-children born on the same day in 1901 and follows their paths through the rise and fall of the Black-shirted Fascists at the end of World War II, and beyond. . ., their personal friendship and clashes over four decades, taking on a deeper, symbolic meaning as history unfolds its own deeper meanings.

First born of the two is Olmo Dalco, the bastard grandson of a peasant patriarch. Olmo, the grandfather proclaims, means "elm tree," and in one moving scene at the crowded family dinner table, he calls the belligerent youth to him, telling the serious-faced Olmo never to forget his peasant background, that it is the source of his pride and strength.

Sterling Hayden is more than convincing as Leo Dalco, the weathered, stalwart grandfather, while the haunting, rebellious urchin look of the young Olmo, played by a local Italian youth, is a casting triumph.

ALFREDO

A few minutes after the birth of Olmo, Alfredo Berlinghieri, grandson of the "padrone," the landlord whose name he takes, is born. While his grandfather (played with rare insight by Burt Lancaster) is a strong, earthy sort close to the land and respectful of his workers, young Alfredo's father is weak and tyrannical, the kind, as we find out later, who will hire others to do their dirty work.

Although both Alfredo and Olmo are still young, the more idyllic days of their youth are over when the grandfather "padrone" hangs himself in the cattle stable. Alfredo's horrific feelings are confirmed when he catches his parents falsely pretending his grandfather is giving his death bed will when he is already dead.

The both watch open-mouthed when a peasant relative of Olmo's cuts off his ear and places it in the "padrone's" (Alfredo's father) hand in response to his announcement that wages on the estate will be cut in half.

The peasants join the Worker's League, openly embrace Socialism, and strike for a better life. Eventually, Olmo joins a youth brigade that, in a flurry of red flags and stirring songs, must be sent away — too many mouths to feed.

After World War I, Olmo, a returning young soldier, comes back to the estate. The introduction of machines has cut the peasants share even more, and the Berlinghieri family has hired a foreman, Attila, to oversee the workers.

Sheltered from the war by his father's demand, Alfredo is alienated from his surroundings, neither "padrone" nor peasant, but with definite bourgeoise tendencies, somewhat content with occasional sexual liaisons with his first cousin, Regina.

Olmo marries an orphaned socialist schoolteacher, Anita, whose passions for the Revolution are as strong as his, while Alfredo is a lost youth looking for kicks.

Typical of their early manhood experiences is an encounter the pair has in the village, while on their way to visit Alfredo's playboy uncle. They encounter a young woman, whom Alfredo propositions with money, to get her to go to bed with them. When he forces her to drink some wine, causing an epileptic fit, Alfredo runs off, leaving Olmo alone to help her.

At his uncle's, Alfredo falls in love with Ada, a haughty, free-living city girl, who continually senses the true worth of the "simple people," but is horrified by the insensitivities of the world around her. Her later unhappy marriage with Alfredo is certainly based on his "liberal" political stance, refusing to correct the social wrongs he sees and knows to exist because they actually serve his interests.

Olmo and Anita are peasant leaders, and demonstrate their ability to stand up for their rights when they organize a group illegally kicked off the land to fight the police attempting to run them off.

Alfredo and Ada are liberal dilitantes, goodtimers whom the realities of the world relentlessly force apart.

Attila and the rejected Regina are the budding fascists, he the hungry foreman who will never "bite the hand that feeds me," she displaying the hot, pushy aspirations of the near, but not quite, independently rich.

The social development of the main characters (with the exception of Anita, who dies in childbirth), the roles history forces upon them, is the meat of 1900, a undeniable intense slice of life that is played out in all its glory.

Particularly brilliant is the development of Attila and Regina (played by Donald Southernland and Laura Betti respectively, who in the word of one reviewer, give "irridescently good" performances). Attila transforms, urged on by Regina, from a opportunistic, arbitrary brute to a sexually sick leader of the black-shirts, the Fascists systematic killers, arch anticommunists.

Robert De Niro, Dominique Sandra and Gerard Depardieu give equally stunning, award-winning performances as Alfredo, Ada and Olmo, the threesome at the heart of the drama.

In the end, on liberation day, April 25, 1945, Attila is pitchforked and eventually slain for his crimes, Regina is disgraced. Alfredo is captured by a youth, and stands trial in a people's court, where he is confronted by an old man who lost two fingers while working for the Berlinghieri family, and an old woman who has lost her teeth. His only plea is that, "I did nothing myself to hurt you." Olmo intervenes to spare his friend's life, justifying his action by saying, "He is the living proof that the padrone is dead.

This mistake is culminated when the "liberation government" comes and takes away the peasants' guns, slapping the youth who captured the padrone when he refuses to give up his old rifle. Alfredo slowly stands up, takes a couple of steps forward, looks at the crying child and says, with a faint smile, "The Padrone lives."

He does indeed, and in an unstated epilogue, we see Alfredo and Olmo, landowner and peasant, still wrestling each other neither dominant for long, neither loser for long, locked in battle.☐

Editor Assassinated

CONTINUED FROM PAGE 19

popular movement battling to overthrow the fascist Somoza regime.

Among the buildings burned by Chamorro's mourners were a Bank of America branch and a blood plasma firm, both partly owned by the Somoza family, along with a Renault auto showroom and the offices of a construction firm. The blood firm, Plasmaferesis, was accused by *La Prensa* of making a profit in Western Europe and the U.S. by literally stealing the blood of poor Nicaraguans.

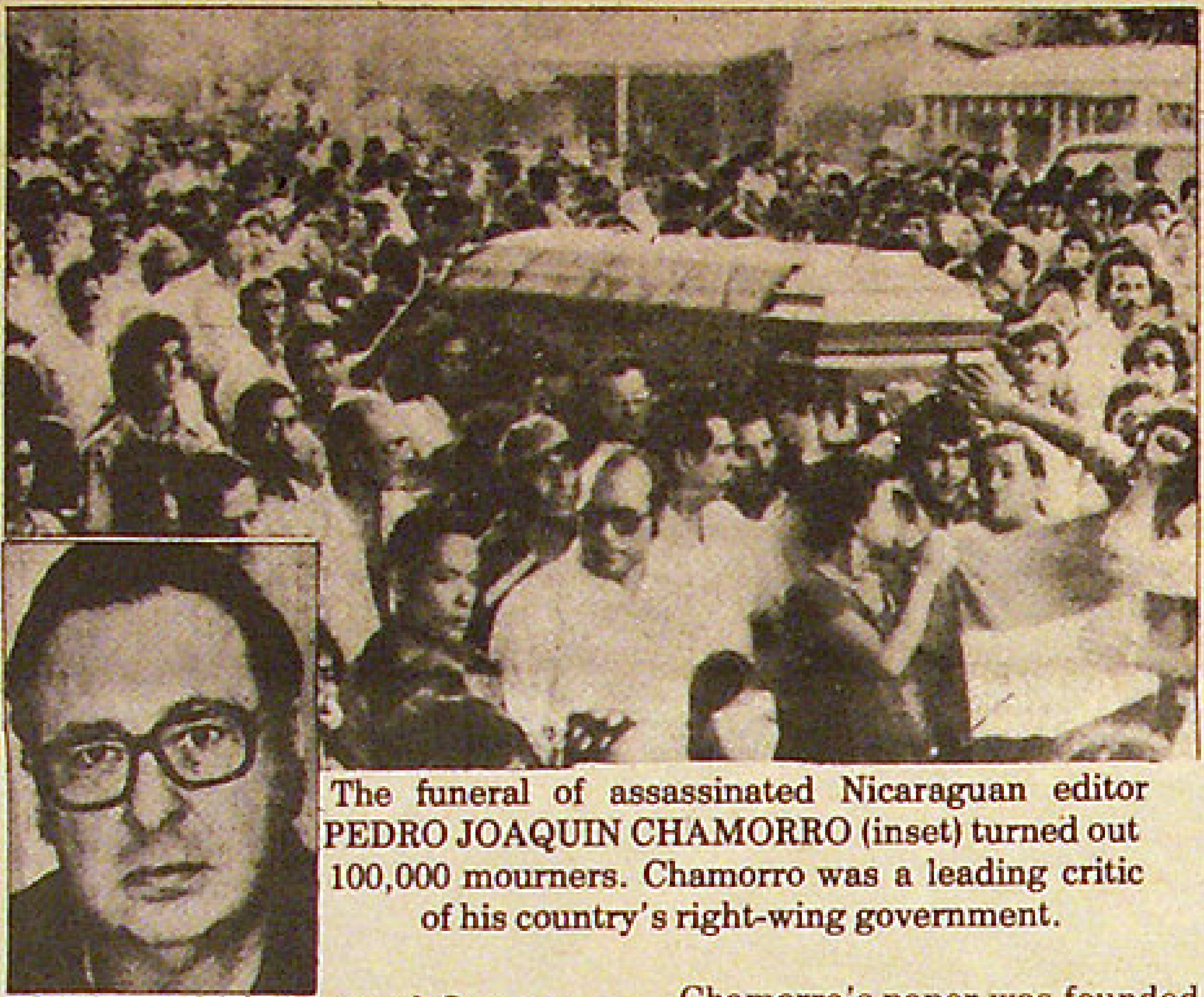
Ramos, the Cuban exile accused in the plot to kill Chamorro, is a partner in the blood firm, and has a lawsuit against *La Prensa* for the allegations against Plasmaferesis.

Last October, Chamorro visited the U.S. to accept the coveted 1977 Maria Moors Cabot Award. The award carried a citation for "journalistic leadership of those forces opposed to tyranny in Nicaragua."

Chamorro's trip came just after restrictions imposed on him by the Nicaraguan government had been lifted.

For two months, his civil rights had been suspended, including the right to leave the country, and *La Prensa* had been under government censorship.

The restrictions were imposed after Chamorro called for abstention from the 1974 presidential election, which returned Somoza to office.



The funeral of assassinated Nicaraguan editor PEDRO JOAQUIN CHAMORRO (inset) turned out 100,000 mourners. Chamorro was a leading critic of his country's right-wing government.

The "state of siege" ordered by Somoza was ended by the Nicaraguan Supreme Court after pressure was applied by Chamorro and other progressive forces.

ELECTION

Currently, an election of 150 mayors is set for February 5. Chamorro, through his newspaper, had been urging a boycott of the election, charging that Somoza's National Liberation Party was rigging the balloting.

La Prensa frequently denounced corruption in the Nicaraguan government and recently forced the resignation of a Somoza supporter, Dr. Fausto Zelaya, as president of the state housing development bank.

Chamorro's paper was founded in 1926 by his father, whose own grandfather had been a president of Nicaragua in the late 19th century. The father was an opponent of the dictator of Nicaragua from 1937 to 1956, Gen. Anastasio Somoza, father of the current President.

Since 1974, Chamorro had been president of the Democratic Union of Liberation, a broad-based coalition of anti-Somoza groups that included the Communist Party and Socialist Party as well as breakaway elements of the Conservative Party and the Somoza's own Liberal Party.

In 1944, as a first-year law student, Chamorro joined an anti-Somoza group at the University of Managua. He was eventually arrested and exiled to Mexico, where he completed his law studies.

Returning to Nicaragua in 1948, after the death of his father, Chamorro began a campaign against the Somoza family.

In 1954, Chamorro was sent to jail for two years on charges of conspiring to overthrow the elder General Somoza. After the president was assassinated in 1956, Chamorro led an invasion force based in Costa Rica against the general's son and successor, Luis Somoza.

Chamorro was tried by a military tribunal and was jailed for a year. During that time he wrote a book, *Bloody Dynasty — the Somozas.*

After his release, he was confined to an area far from Managua. He escaped to Costa Rica and returned to Nicaragua during a 1960 amnesty.

In the 1967 elections, which put President Anastasio Somoza in office, Chamorro backed the dictator's opponent. After a demonstration, he was accused of terrorism, jailed and released 45 days later — after the election. □

Ford Visits South African Factory

CONTINUED FROM PAGE 19

that company policy still favors Whites.

Ford, who had not visited the Struandale plant — one of five plants his corporation runs in this Indian Ocean city — in 10 years, was guardedly vague about the purposes of his visit.

Of the 375 U.S.-owned companies operating here, Ford is the largest, with a total of 4,860 employees. The American businesses, which have a direct investment of nearly $1.7 billion, account for about 17 per cent of all foreign-owned investments. The U.S. multinationals employ an estimated 70,000 Blacks of a total of 1.5 million working in industry.

The award-winning play *Sizwe Banzi Is Dead* provides an accurate description of working conditions endured by Blacks in South Africa. The play is partly based on the experiences of John Kani, a Black ex-Ford worker turned actor who won a Tony Award for his performance in the production on Broadway in 1975.

In the play's opening sequence, Kani as Styles, a photographer in the Black "township" of New Brighton, outside Port Elizabeth, recalls with bitter humor Ford's previous visit in 1968.

Styles recounts how a White foreman, "Baas" Bradley, launched a crash clean-up campaign for the Ford visit, ordering safety signs to be painted where none existed previously. New overalls are distributed, and Bradley gives a pep talk.

Styles, acting as interpreter, tells his fellow Blacks that, Ford is "the grandmother baas of them all" and that they must sing and smile and "hide your true feelings" when he passes by.

"Gentlemen," says Styles, giving a reworked version of the foreman's instructions. "He says we must remember, when Mr. Ford walks in, that we are South African monkeys, not American monkeys, South African monkeys are much better trained." □

INSIDE LATIN AMERICA

Puerto Rico

(San Juan, Puerto Rico) - Bus transportation here stopped abruptly January 10 when 1,300 drivers and mechanics walked off the job demanding higher pay. The San Juan transit strike closely follows the walkout by 6,200 electrical workers here which is entering its third week.

Brazil

(Brasilia, Brazil) - President Ernesto Geisel announced earlier this month that he would be succeeded by Gen. Joao Baptista Olieveira Figueiredo, head of the military regime's intelligence arm. Figueiredo must obtain the approval of the military high command, however, before he can succeed Geisel, whose term is over in March, 1979.

Panama

(Panama City, Panama) - Thousands of Panamanians attended a rally here January 9 to commemorate the deaths of 21 Panamanian students killed in an act of U.S. aggression on this date 14 years ago. The rally was staged by the Federation of Students of Panama and 30 other mass organizations and was attended by Education Minister Aristides Royo, Labor Minister Adolfo Ahumada and other high-ranking government officials. Speakers at the rally called for the immediate ratification by the U.S. Senate of the Panama Canal treaties.

Chile

(Santiago, Chile) - Chile's military government banished 12 political activists and union leaders last week, sending them to isolated communities in northern Chile near the Bolivian border. Among the banished were members of the outlawed Christian Democractic Party. The apparent crackdown comes in the wake of a bogus "plebiscite" staged two weeks ago by President Augusto Pinochet, after which the Chilean dictator announced that there would be "no more elections" for 10 more years.

SPORTS BRIEFS

Johnny Bench: Baseball's Earl Butz

(Cincinnati, Ohio) - The Cincinnati Reds baseball team's star catcher Johnny Bench created an uproar with his racial jokes at a guest celebrity appearance last week here at Cincinnati Music Hall. The *Associated Press Bureau* here quoted two of Bench's so-called jokes: Bench who is part Indian, asked the audience, "Do you know the difference between a Jew and a canoe? A canoe tips." Later he asked, "Do you know how to stop five Blacks from attacking a woman? Toss them a basketball." One newspaper columnist nominated the 30-year-old Bench for the "Earl Butz Award for bad taste in ethnic humor." Earl Butz was forced to resign as U.S. Secretary of Agriculture in 1976 for outrageously racist remarks he made about Black people.

Hearing On Blue Trade

(New York, N.Y.) - Following a six-hour hearing, baseball commissioner Bowie Kuhn decided to postpone a decision for at least 10 days on whether or not he would allow the trade of star pitcher Vida Blue from the Oakland A's to the Cincinnati Reds. According to Kuhn he needs this time to decide if the trading of Blue for $1.75 million and a minor league player was "in the best interest of baseball," the same phrase he used when he nullified the sale of Blue to the Yankees last year.

Super Bowl= Super $$$

(New York, N.Y.) - This year's Super Bowl should have produced the greatest box-office gate in history, $2.3 million and is estimated to have added $25 to $30 million dollars to the economy of the host city, New Orleans. In addition, the National Football League contracted with the Columbia Broadcasting System, for the telecast, and CBS received as much as $325,000 a minute from sponsors. Players for the winning Dallas Cowboys earned a total of $32,000 (including playoff money) while the losing Denver Broncos received $23,000 apiece.

N.C.A.A. CREATES "SUPER DIVISION" FOR COLLEGE FOOTBALL

(Atlanta, Ga.) - The National Collegiate Athletic Association (NCAA) voted last week to restructure collegiate sports, reorganizing its major college football into two divisions, IA and IAA, the first a "superdivision" in order to appease the perennial national football powers.

Division IA, though originally conceived of as being an "elite" group of 79 major college football "institutions," will have as many as 130 members, the change coming in a last minute compromise vote. This marked the second year in a row that these football powers failed to make their group as exclusive as they wanted.

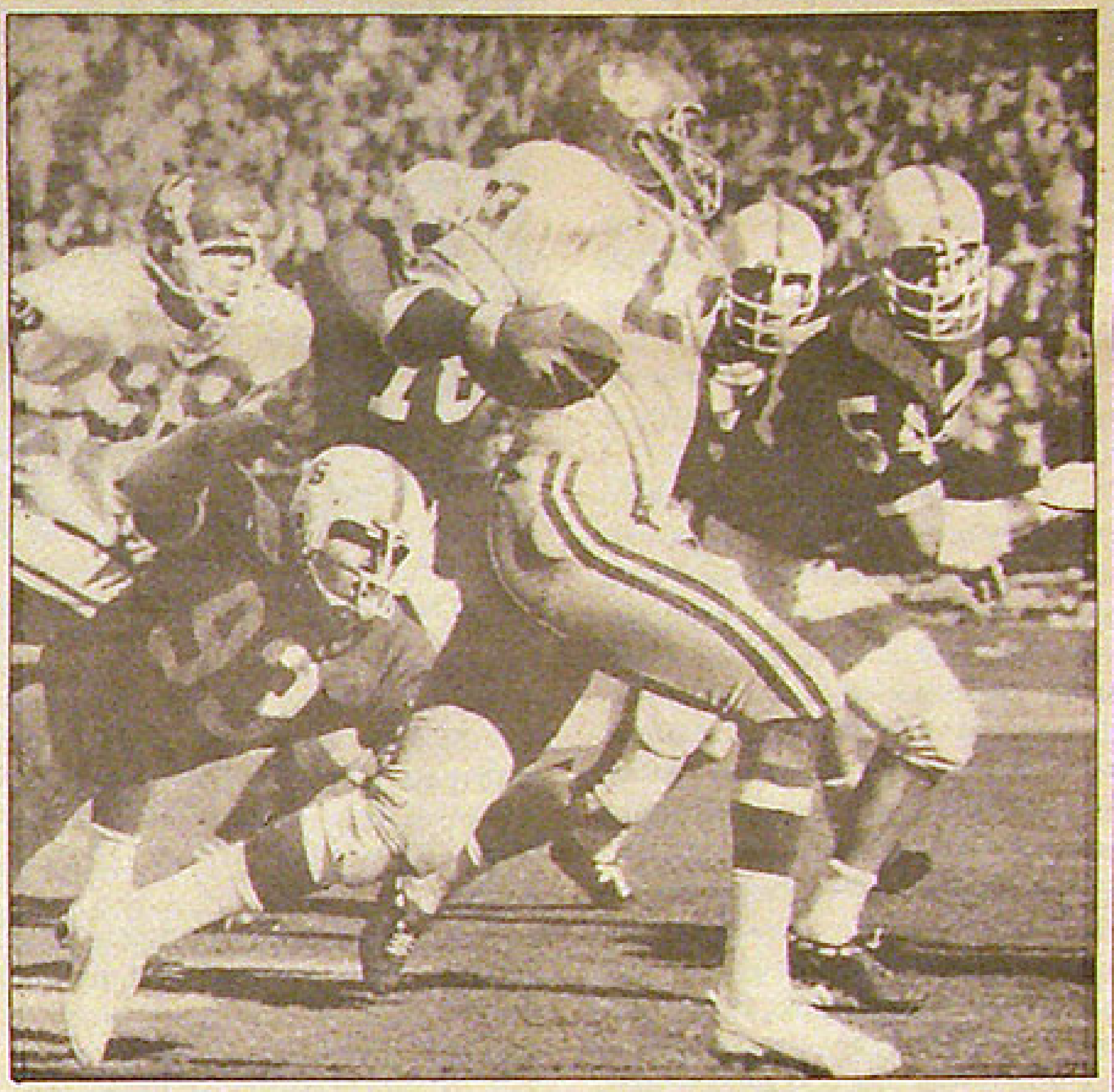
Previously, the NCAA had three divisions in football — I, II, III, with 144 colleges in Division I. The recent NCAA convention changed all that, creating four football ranks: IA; IAA; II; and III. The three primary criteria for membership in Division IA, the "superdivision," are:

- An average of 17,000 paid at home football games over the past four-year period;
- A 30,000-seat stadium with more than 17,000 paid attendance at home football games for at least one of the past four years; or
- Sponsoring at least 12 varsity intercollegiate sports. It was the third, or 12-sport, provision that kept many colleges in the NCAA's top division.

Oddly, schools must declare their choice of IA or IAA within the next 60 days but are allowed three years to prove compliance with the rules. There are 104 colleges that qualify for Division IA immediately. There are 33 others with 10 or 11 varsity sports who are able to qualify by adding one or two sports to their athletic program.

Football powers such as Notre Dame, Penn State, Ohio State, Alabama, Texas and others have long wanted a smaller, "elite" football group within the NCAA. The opponents felt the establishment of a "super division" would lead to degrading the other football colleges and also the cornering of the market on lucrative football income.

In another decision, the NCAA voted that any high school basketball player who declares himself available for the National Basketball Association (NBA) draft is a professional and is ineligible for NCAA varsity basketball, whether he is drafted or not. Previously a high school player was allowed to declare for the NBA but then withdraw his name before the draft and still be eligible for the NCAA.



Major college football powers have established a "superdivsion" in the NCAA.

Meanwhile, the powerful police arm of the NCAA is undergoing an investigation by a Congressional subcommittee. The House Subcommittee on Oversight and Investigations will focus on the following questions:

- Whether the association is violating anti-trust laws;
- The nature of its investigative practices when its suspects colleges, coaches or athletes of violating its regulations;
- Whether penalties assessed against member colleges, and their coaches, are fair and equitable; and
- Whether the association provides due process in investigation and penalties.

The NCAA's enforcement arm, an 11-man paid staff under the control of Executive Director Walter Byers, has come under severe criticism. The most well-known case was that of Jerry Tarkanian, the basketball coach who was dismissed by the University of Nevada, Las Vegas, last summer on the strong "recommendation" of the NCAA.

In granting Tarkanian a permanent injunction against the dismissal, a Nevada judge stated that the Association's alleged evidence of wrongdoing against Tarkanian was "total 100 per cent hearsay, without a scrap of documentation in substantiation.

"The evidence shows that every fundamental principle, pertaining to the plaintiff's (Tarkanian) due-process rights', was violated" by the NCAA.

Shortly after Tarkanian won his round in court, an NCAA investigator was accused by a bank president in Oklahoma of representing himself as a federal agent in 1975 while seeking evidence of improper recruiting against Oklahoma State University. Also, reports have been received from officials at member institutions of receiving threats from NCAA staff members regarding the Congressional investigations.

A disproportionate number of these now suspect NCCA investigations have been conducted against Black athletes, many of whom have had their careers destroyed.

Complaints against the NCAA's police arm are centered on Byers. David Nelson, director of athletics at the University of Delaware, commented, "Walter has gotten more and more money for investigations and it seems like he is working on a body count to justify the expense." □

Haiti

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Presse, an important liberal weekly, and the brutal beating last month of the father of its editor, Bob Neree.

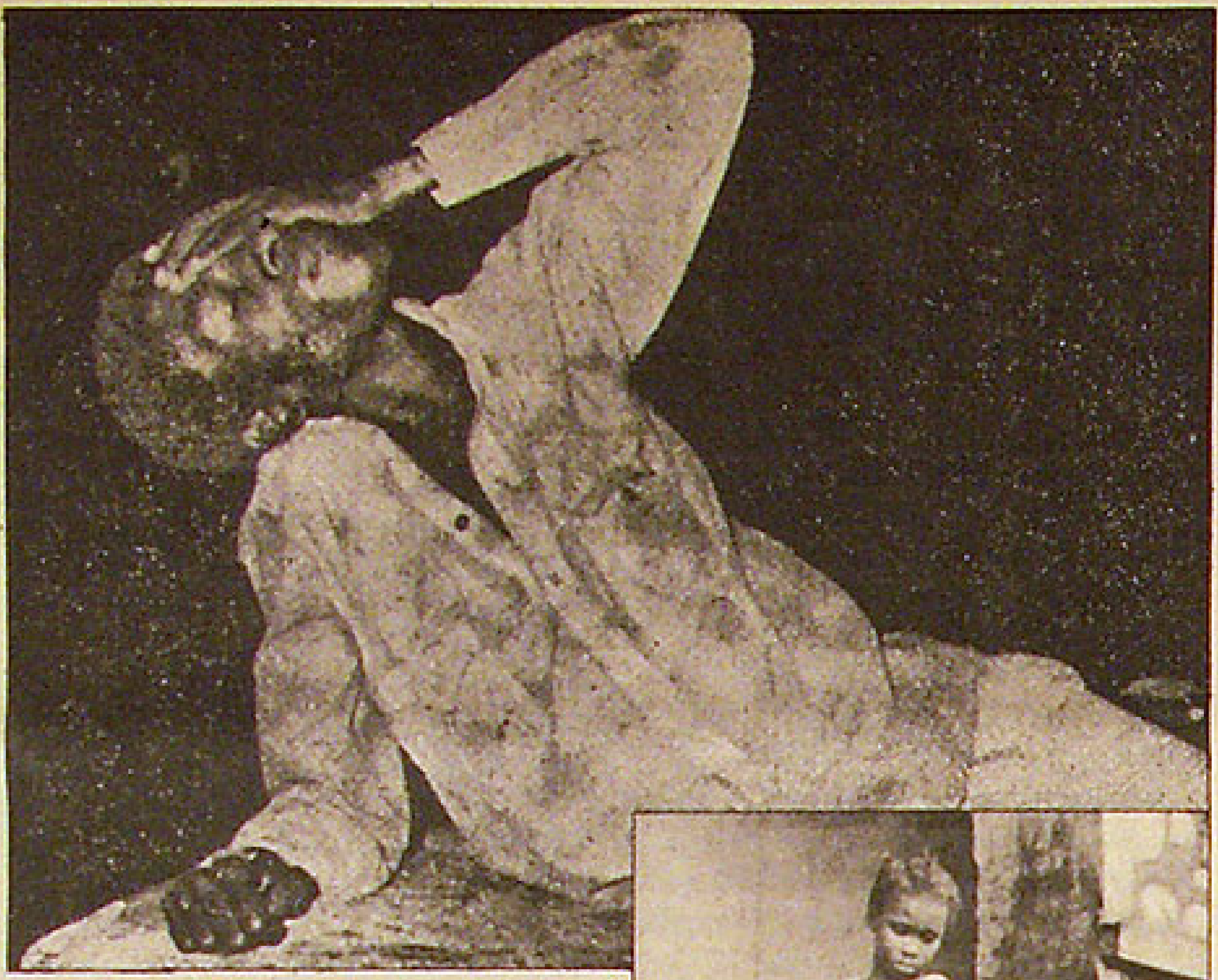
More serious, in June, 1976, Gasner Raymond, a reporter for the weekly *Le Petit Samedi Soir* who had supported the first cement strike, was murdered.

The government's fast retreat from the hasty "liberalization" and the mounting workers' actions show that the Duvalier regime cannot survive without the use of harsh repression, but that it must maintain a moderate facade in order to receive extensive external aid.

The most recent developments in the repressive actions of the feared Tonton Macoutes (TTM), a paramilitary right-wing organization often used by the government to silence its critics, demonstrate this dilemma. In theory, the corps was to have disappeared and been replaced by a more structured and better disciplined special elite force called the Leopard.

In reality, the Leopard, originally an antiguerrilla force, has been increasingly used against popular uprisings. TTM, in turn, was sent to the provinces.

In addition, the Haitian opposition has finally received a list of over 200 people killed in Haiti's prisons. Some of the prisoners





The Haitian people are victims of repression, poverty and starvation.

who were released last September in a barrage of publicity and subsequently expelled from Haiti have testified extensively in the U.S. about torture in Haitian jails.

The U.S. government has apparently been satisfied by the token acts of amnesty and is already preparing to send more aid to the Duvalier dictatorship. Currently, Duvalier receives $60 million annually from the U.S.

The government is well over $300 million in debt, although Duvalier himself has amassed a huge fortune from his regime's corrupt dealings. Nearly one-fourth of Haiti's budget consists of imperialist aid, with a large proportion historically coming from the U.S. □

"Elections" In Namibia

CONTINUED FROM PAGE 17

West Germany and Canada — is, however, running into a solid iron wall blocking a neat neocolonial package deal.

The wall of resistance is SWAPO's nonnegotiable stand that any settlement must be preceded by the complete withdrawal of all South African troops in Namibia.

In a communique issued following the meeting, SWAPO disclosed that Pretoria was demanding that "several combat battalions of its armed forces be deployed at several strategic points in Namibia as well as along the entire Namibian border with Angola and Namibia during the proposed electoral process leading to independence in Namibia.

"South Africa has reportedly accepted the proposed U.N. peacekeeping force during the electoral process," the statement from SWAPO continued, "but demands that SWAPO freedom fighters be kept in transit camps in neighboring countries and effectively blocked off from entering Namibia.

Those already operating in the country would meanwhile be isolated and disarmed and only South African troops would be visibly deployed in the country during the electoral process.

SWAPO finds this scheme completely unacceptable and rejects it resolutely." □

1977—Steady Economic Recovery In Angola

CONTINUED FROM PAGE 17

We wanted our political independence to lead us progressively towards economic independence, towards a society free from all forms of exploitation of man by man.

Thus the fundamental law of the RPA sanctioned free education; and the law 9/75 of December 13, sanctioned free medical assistance.

On March 3, 1976, there was proclaimed a law on confiscation and nationalization. The law determined state intervention in all enterprises where justified, whether by virtue of their strategic importance, by their being found in a state of abandonment or further, because of sabotage on the part of owners and administrators.

On the other hand, important measures were taken in the monetary, financial and foreign exchange spheres in order to bring areas in step with the country's new realities and to create efficient instruments for the construction of an economy of a new type.

In October, 1976, the National Bank of Angola was created with the exclusive right to issue money.

On November 11, 1976, the national currency — the kwanza — was created, which was a hard blow to the imperialist forces. These forces worked from the outside using the colonial escudo to sabotage our economy.

In agriculture — taking into account the downfall of production which took place in the years 1975 and 1976 and the importance of this sector as the base of economic and social development — special attention was given to the recovery of food production to feed the people, raw materials for industry and exportable products.

As for the social sectors, particularly education and health — these have drawn special attention of the MPLA and its mass organizations. □



Proud Angolan woman with her young child.

Political Alliance Formed

CONTINUED FROM PAGE19

capital of the Kwazulu tribe, Buthelezi, Leon and Chinsamy issued a statement saying that the time had come to "prepare the groundwork for the (non-White) alliance and to hold a national convention to which all South Africans will be invited in order to map out a charter for a non-racial community and the new constitution for South Africa."

Buthelezi said of the meeting:

"The Inkatha viewpoint of today's meeting is that they applaud the gathering together of people who are involved in constituency politics. Inkatha needs every man, woman and child — Black, Brown and even White."

The meeting is believed to be the first high-level gathering of the country's three major non-White groups. Over 19 million Blacks, 2.4 million Coloreds and 765,000 Asians, mostly Indians, live in South Africa. □

The New Racism

CONTINUED FROM PAGE 12

will be there to concoct the justification."

The neo-conservatives line up against minority and Third World demands because they have a vision of the West as a fortress against (non-White) barbarism. They believe Western civilization to be man's greatest achievement and that the forces of dissidence, here and abroad, want to loot the treasure house.

Writing in *Public Interest*, Samuel P. Huntington, another neo-intellectual, warns that democracy is fragile. "The danger of overloading the political system with demands which extended its functions and undermine its authority still remains. Less marginality by some groups, thus needs to be replaced by more self-restraint on the part of all groups." Huntington's call for limits on democracy excludes the possibility that such demands are legitimate.

The New Racism is committed to the preservation of the status quo and would lower expectations among the poor, even to a point of making it clear they will never be a part of the system. Recently, Herbert Stein, a Nixonian economist, suggested that full employment be redefined at seven per cent unemployment — in effect, ignoring the crisis situation among Blacks.

The danger for Blacks is not simply what the New Racists think, but the people who listen to them. The appeal of the neo-conservative theology is its absolution of the White community's responsiblity for the status quo.

The struggle against the New Racism will be intense and difficult. But we have moved beyond the point where we will accept suggestions of our being inferior or less competent. No one can convince us that poverty is genetic or that our inferior political and economic status has to do with racial characteristics.

The next decade will see a Black-White confrontation, here, and abroad, over power — the ability to determine one's own future. The glaring weakness of Blacks is the lack of Black institutions to aid in the battle for equality.

But those who would roll back the tide must be made to understand that Blacks will not accept a lowering of horizons at their expense. The battle has moved to more sophisticated and complex levels, but we have the advantage of knowing there is something very old about the New Racism. ☐

Letters to the Editor

WE MUST ORGANIZE UNITY

Dear Editor,

I have written many articles about my case within your BLACK PANTHER paper for some aid but in this present article I want to communicate about the Black struggle and what it means. I've been in prison eight years and I have become a revolutionary. My future is to dedicate myself to the Black struggle and the Black Panther Party. Black struggle means conflict, it means that we the poor class, the havenots of society, are fighting for liberation — to be free people. But to be mentally free, we must first organize unity between each other. We should rid our mentality of materialism. Materialistic minds only keep us apart, disunited.

As we work hard for our money, laboring for Whites, we should invest and save what we have in turn to invest our money in education for our children. We must quit bullshitting and finally take courage control over fear and adopt a realistic picture of this world and our place within it. We are not fascist, we are oppressed economically depressed people. We were brought here from Africa and other parts of the world under duress and have passed all our days here under duress. The people who run this country will never let us succeed to power. Everything in history that was of any value was taken by force, international capitalism cannot be destroyed without the extremes of struggle. All the Black brothers who are in prison like myself should throw away that criminal mentality and organize a revolutionary consciousness. We must organize our thoughts and get behind the revolutionary vanguard, we must be strong and must fall on our enemies with a ruthless, relentless will to win. I quote George Jackson. He said, "History sweeps on we must not let it escape our influence this time."

Yours truly in the struggle,
Bro. Harry James Snow E-1
Georgia State Prison — 59987
Reidsville, Georgia 30453

WHAT IS REHABILITATION?

Dear Editor,

What is rehabilitation? This is a question constantly asked by thirteen-hundred inmates here at the Indiana Reformatory. It's evident here at the reformatory that the administration doesn't care about rehabilitational programs because the inmates haven't had a chance to experience the real meaning.

Some of the machinery here is so outdated that what an inmate learns while he's here doesn't help him upon his release. Upon release he is faced with new machinery and finally learns that all he's suppose to be learning is to no avail after he hears, "sorry, we can't use you," due to lack of experience. It's time that before one can be rehabilitated he must want to help oneself but what if one really wants to help oneself.

How can this be so when there's nothing there to rehabilitate oneself with. Robert Raine, the new superintendent, came right into the institution changing rules that had been so for years. He came right into the institution saying inmates on the segregated unit couldn't receive their Christmas packages from loved ones until their release from the unit. But Robert Raine couldn't come right into the institution and put forth a small effort toward getting some type of rehabilitational facilities. This is a cry for help from all the inmates here at the Reformatory.

Needless to say, myself along with others here at the Reformatory haven't been rehabilitated and won't be until some drastic changes are brought about here at the Indiana Reformatory.

Thanking you and all concerned,
Charles Carter
Indiana Reformatory
Pendleton, Indiana

Superdome

CONTINUED FROM PAGE 9

or not Hyatt will put another Black-owned company in the Superdome; SSI President Sherman Copelin thinks not.

The Superdome has been mired in controversy since its inception in 1966. A rash of vandalism, lawsuits and construction bungles caused construction costs to skyrocket from an estimated $35 million to nearly $180 million by the time the dome opened in 1975.

Moreover, the Louisiana legislature designated the facility as a political subdivision of the 5th Congressional District in New Orleans; a commission of politicians was appointed to manage it. When Landrieu, who chaired the commission, persuaded the group to award SSI a lucrative, six-year contract to oversee security, maintenance and ticket sales at the dome, critics panned the contract as a patronage plum.

Criticism from White business interests percipitated a flurry of investigations. "During our first two years," said Copelin, "we weathered two legislative investigations, two grand jury probes, several state audits and a state police investigation."

The state hoped to eliminate controversy over the dome and silence critics by retiring Landrieu's commission and contracting Hyatt to manage the facility. Unfortunately for SSI, the Hyatt agreement authorized the state to cancel SSI's contract at Hyatt's request.

"Had we agreed to front for Hyatt," said SSI Vice President Donald Hubbard, "we would have had no problems." ☐

"Cheap Labor"

CONTINUED FROM PAGE 11

their grievances.

Contending that the program is "actually a labor program," the statement said: "We have not received any advanced instruction or training in our areas of interest or specialty. Our working hours reflect and bespeak the true nature of this program.

"There are some trainees who work seven days a week 12 to 14 hours per day. Some of us have not had a day off for three months. We shovel manure, load posts, count eggs, clear farmland, construct farm buildings, mow lawns, pick grapes and we do this all day long throughout our stay."

As to living conditions, the complaint says, "Some live in old trailers without screens or adequate ventilation, others stay in warehouse offices converted to bedrooms."

There has been one report of one trainee living in a chicken coop although 4-H national Executive Director Grant Shrun claimed it "was not what you and I would think of as a chicken coop."

The trainees also complained about "financial accountability." They receive $65 a month spending money while in the United States, paid directly to them, and $275 more in wages paid to the National 4-H Council.

Travel money and administrative costs are deducted, and the rest is paid to the trainee after his 18-month tour is over and he is returning to the Philippines.



Agricultural workers performing back-breaking stoop labor. Filipino trainees in 4-H program were the victims of a "cheap labor" scheme.

The trainees say there is no detailed financial accounting and that most of them go back to the Philippines "with only a few hundred dollars."

The 73 trainees in the Southeast are part of 201 now in the United States in what are called group C and D, the two most recent groups to be sent to this country under the program, which began in 1974.

"Unfortunately," says the report of the support committee, "it cannot be said that the bad conditions and discrepancies in the program are restricted to the southern part of the United States, nor that this recent protest by trainees is the first to have occurred."

Last June, a number of trainees returning to the Philippines complained to *The Oakland Tribune* about the program. One trainee complained that he had received a check for $135.80 for his 18 months' work, with no detailed accounting. Another told of having to live in a converted chicken coop with no hot water or toilet facilities.

A Philippine 4-H Council inquiry after that incident said that interviews with current participants claimed that "most were well satisfied with their own on-the-job-training experience, living conditions and cultural exchange opportunities."

The trainees, in their protest, now call that evaluation "a cover-up" and say in their own report that conditions have not improved.

Typical of the complaints are those of 26-year-old Juliano Lagudas, who is now working on a turkey farm near Marston, N.C. In an interview, Mr. Lagudas, who had been an insurance salesman in the Philippines with an interest in large-scale swine farming, said that he worked six days a week from 6:30 a.m. to 6:30 p.m. with an hour for lunch.

"We pick up the eggs, check the fence, get loose birds, pick up dead ones, pack the eggs, that's all," he said.

Although he was interested in swine production, Mr. Lagudas said he had asked for a transfer from an Iowa hog farm because of the working conditions.

"I was scooping manure during blizzards, 36 below zero," he said. "I was spreading manure in the fields, scooping corn, mowing weeds along fence roads."

During the 14 months on the farm, he said, he lost 29 pounds because of work and the food he was given.

He said that he would return to the Philippines in March, but had no idea how much money he would take back with him. Initially, he said, money was not his first concern, because he had come here to learn swine farming to be able to return to the the Philippines and practice it.

"But I have learned nothing," he said, "except possibly how to work hard every day for no reason for myself." □

Still Too Many Blacks In Classes For Retarded

CONTINUED FROM PAGE 11

Binet and Weschler are racially and culturally biased against Black children, and systematically underestimate their learning ability.

On the basis of then available figures, Judge Peckham issued a temporary restraining order in 1972 barring the San Francisco Unified School District from using I.Q. tests as a basis for EMR placement, extending his order statewide in 1974.

Yet current figures on the racial balance of EMR classes have indicated that Black schoolchildren are still overproportionately found in classes for the mentally retarded. Judge Peckham said that the answer to why this is the case has not been answered to his satisfaction since the nonjury trial began last October 11.

Responding to a comment by state Deputy Attorney General Joanne Condas, who represents the defendants in the case, that educators were acting in the best interests of the children, Judge Peckham responded:

"You know, it's a terrible tragedy if somebody is put into one of those classes, no matter how well-intentioned these people [the educators] are.



Black schoolchild.

"If a person is put in a class who has no business being there, it is bound to have a serious adverse impact upon him. He may be fortunate enough to ultimately escape and not be permanently damaged, but. . ."

The plaintiffs in the case have charged that EMR placement "stigmatizes" Black youth, making them the butt of jokes and other degradations.

Meanwhile in other testimony in the case, an expert witness called by the defense recently conceded that some Black children put in EMR classes may be smarter than some Whites in regular classes.

Also, the president of the subsidiary business that publishes the Weschler I.Q. test said that its parent firm earned $23 million in 1976 from this test and other I.Q. testing services.

Yet, of the 250 employees of Psychological Corporation, a subsidiary of Harcourt, Brace and Jovanovich publishing company, none are Black. □

Mental Patients

CONTINUED FROM PAGE 11

1974 to April, 1975.

They also charge she was given heavy doses of Mellaril, a mind-altering drug, although she objected and complained of side effects such as involuntary twitching of the face, mouth and extremities.

According to trial testimony, "seclusion" at Boston State Hospital is a 6-by-12-foot room with no furniture except a plastic-covered mattress.

There is a window to the outside covered with wire mesh. There is no toilet or sink and the rooms often smell of feces and urine.

Judge Tauro granted the patients' request for a temporary restraining order in early 1975. They are now seeking to make it permanent. The present trial, focusing on monetary damages, will continue for two more months.

Boston State Hospital's inmates come largely from the working class and marginal population, including a disproportionate number of Blacks.

Nationwide, the situation is similar. Non-Whites made up 23 per cent of state hospital admissions in 1975, but only 12 per cent of the population. Of the 23 per cent, seven per cent are sentenced by courts for incompetency to stand trial, compared to only one per cent for Whites. □

A PROGRAM FOR SURVIVAL

"All these programs satisfy the deep needs of the community but they are not solutions to our problems. That is why we call them survival programs, meaning survival pending revolution." — Huey P. Newton



SENIORS AGAINST A FEARFUL ENVIRONMENT (S.A.F.E.) PROGRAM

GEORGE JACKSON MEDICAL CLINIC

Provides free medical treatment and preventative medical care for the people.

THE SICKLE CELL ANEMIA RESEARCH FOUNDATION

Established to test and create a cure for Sickle Cell Anemia. The foundation informs people about Sickle Cell Anemia and maintains an advisory committee of doctors researching this crippling disease.

PEOPLE'S FREE DENTAL PROGRAM

(Being implemented)
Provides free dental check-ups, treatment and an educational program for dental hygiene.

PEOPLE'S FREE OPTOMETRY PROGRAM

(Being implemented)
Provides free eye examinations, treatment and eyeglasses for the people.

PEOPLE'S FREE AMBULANCE PROGRAM

Provides free, rapid transportation for sick or injured people without time-consuming checks into the patients' financial status or means.

FREE FOOD PROGRAM

Provides free food to Black and other oppressed people.

FREE BREAKFAST PROGRAM

Provides children with a free, nourishing, hot breakfast every school morning.

FOOD COOPERATIVE PROGRAM

Provides food for the people through community participation and community cooperative buying.

INTERCOMMUNAL NEWS SERVICE

Provides news and information about the world and Black and oppressed communities.

PEOPLE'S FREE COMMUNITY EMPLOYMENT PROGRAM

Provides free job-finding services to poor and oppressed people.

SHOE PROGRAM

(Being Implemented)
Provides free shoes, made at the People's Free Shoe Factory, to the people.

PEOPLE'S FREE CLOTHING PROGRAM

Provides new, stylish and quality clothing free to the people.



FREE FOOD PROGRAM

PEOPLE'S FREE LEGAL AID AND EDUCATIONAL PROGRAM

Provides legal aid classes and full legal assistance to people who are in need.

FREE BUSING TO PRISONS PROGRAM

Provides free transportation to prisons for families and friends of prisoners.

FREE COMMISSARY FOR PRISONERS PROGRAM

Provides imprisoned men and women with funds to purchase necessary commissary items.

SENIORS AGAINST A FEARFUL ENVIRONMENT (S.A.F.E.) PROGRAM

Provides free transportation and escort service for senior citizens to and from community banks on the first of each month.

PEOPLE'S COOPERATIVE HOUSING PROGRAM

Provides, with federal government aid, decent, low-cost and high-quality housing for Black and poor communities.

PEOPLE'S FREE PLUMBING AND MAINTENANCE PROGRAM

Provides free plumbing and repair services to improve people's homes.

FREE PEST CONTROL

Free household extermination of rats, roaches and other disease-carrying pests and rodents.

OAKLAND COMMUNITY SCHOOL

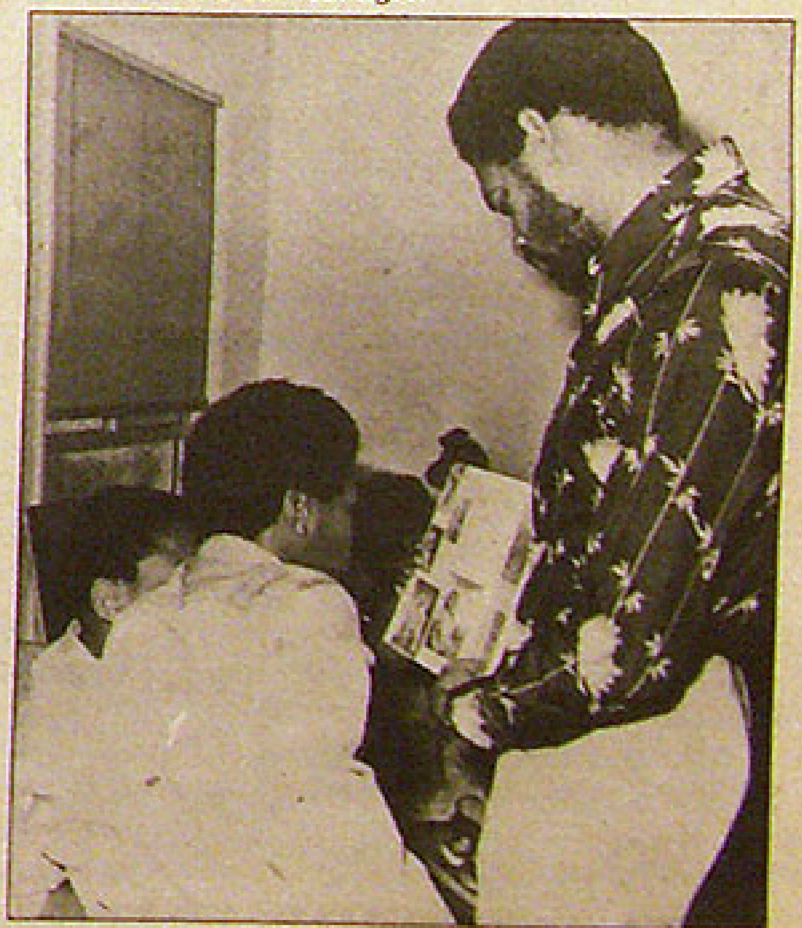
Provides Black and other oppressed children with a scientific method of thinking about and analyzing things. This method develops basic skills for living in this society.

LIBERATION SCHOOLS: FREE MUSIC AND DANCE PROGRAMS

Provides children free supplementary educational facilities and materials to promote a correct view of their role in the society and provides support for the Music and Dance programs of the Oakland Community School.

CHILD DEVELOPMENT CENTER

Provides 24-hour child care facilities for infants and children between the ages of 2 months and three years. Youth are engaged in a scientific program to develop their physical and mental facilities at the earliest ages.



OAKLAND COMMUNITY SCHOOL

BPINS photos

HOW TO GET YOUR F.B.I. FILES

CONTINUED FROM FRONT PAGE

containing your name. You should indicate your willingness to pay reasonable fees for search and copying, though you may wish to request a waiver of fees. The charges vary greatly from agency to agency, seldom less than $10 or more than $50.

The request letter should provide your full given name, any aliases or former names (e.g. married or maiden names), your full present address and your Social Security number (the latter is not required by the CIA). You may also want to provide your phone number so that the agency may contact you if it has questions.

Most of the agencies now require that your signature on the request letter be notarized. This is to insure that you are who you say you are, so it is advisable to notarize letters to all agencies. (Check your Yellow Pages under Notary in order to get this done. The cost is minimal.)

CATCH 22

Your letter will lead the agency to search its files for information about you. If you do have records, your letter will be added to them. If you do not, a file will be opened in the Freedom of Information section of the agency.

TIME LIMITS

Under the amended Act, you are entitled to a response within 10 working days and your letter should request a response within that time period.

Since the amended Act went into effect on February 19, 1975, various agencies have received numerous requests for personal records. Both the FBI and CIA are now asking for an extension of time beyond the 10 working days. The agencies have apparently devoted inadequate staff time to process the requests. Until they work off the back-log they now face, you can expect to receive a letter stating that your request will be answered as soon as possible. You are entitled under the Act to appeal or go to court if you do not receive a response within 10 working days. If you are not prepared to sue over the issue of time, however, you should wait a somewhat longer period for agency review.

APPEALING A DECISION

If your request is denied in whole or in part, you may appeal. The denial letter will give you the name of the person within the agency to whom the appeal should be sent. If you intend to go to court in the event of a denial of your appeal, you should so state in your letter. Under the amended Act your appeal must be answered within 20 working days. Legally, the agency can request an additional 10 days in "unusual circumstances," either at the request or the appeal stage.

WHAT RECORDS YOU CAN GET

Before the Act was amended in February, 1975, agencies routinely turned down requests for personal files on the grounds that they were investigatory records or "classified" documents. The 1975 amendments substantially limited the scope of these exemptions. An agency must now examine each document in your file to determine if it is exempt from disclosure. Since the Act requires the release of segregable portions of documents, an agency can only reserve that portion which is exempt. The remainder of any document must be released if it is intelligible.

The amended Act permits information to be withheld if it fits certain exemptions. Those of relevance to personal files are:

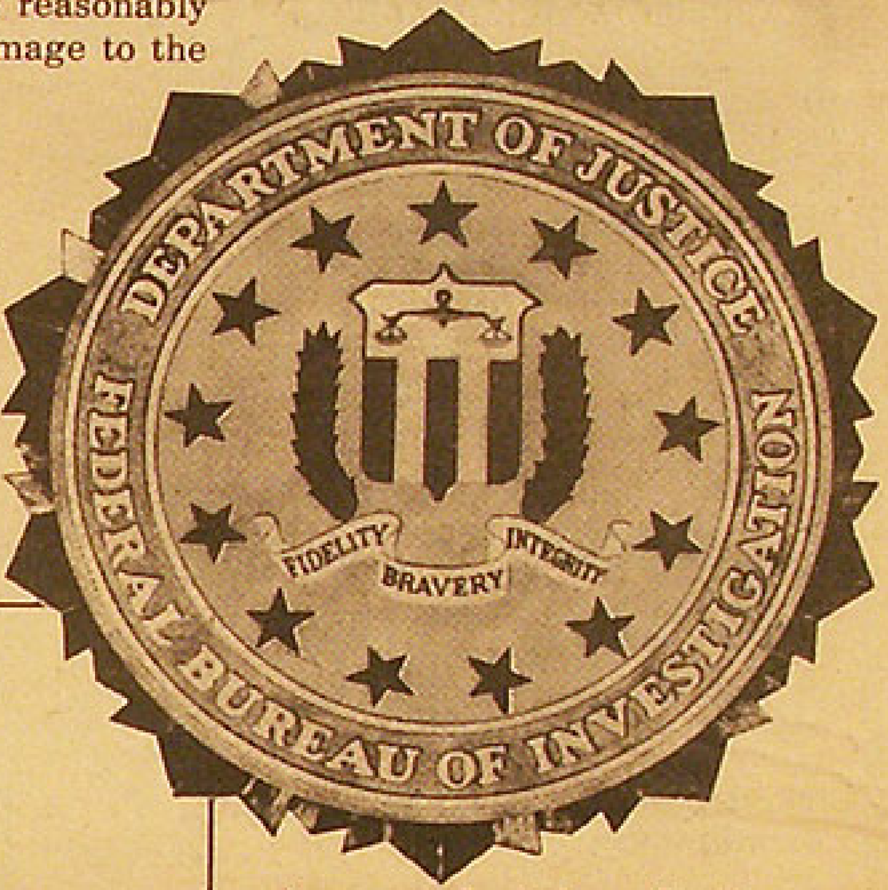
•Records "specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy" and which are "in fact properly classified pursuant to such Executive order."

To withhold information under this exemption the agency must assert that the release of the information could be reasonably expected to cause damage to the national security.

•"Inter-agency or intra-agency memorandums or letters which would not be available by law to a party. . .in litigation."

This exemption permits the withholding of advice by one government official to another as well as advice by government attorneys. It does not authorize withholding of factual statements or data.

Investigatory records compiled for law enforcement purposes (such as files compiled by the FBI in a criminal investigation; — *but only* if the production of such records would: (a) interfere with law enforcement; (b) deprive a person of a fair trial: (c) constitute an unwarranted invasion of personal privacy; (d) disclose the identity of a confidential source and, in criminal and lawful national security intelligence investigations, confidential information furnished only by such a source; (e) disclose investigative techniques; or (f) endanger the life or safety of law enforcement personnel.



Seal of the Federal Bureau of Investigation and sample letter requesting FBI files.

SAMPLE LETTER
(Request for your files)

Your address
Your phone number
Date

Mr. Clarence Kelley, Director
Federal Bureau of Investigation
10th and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Dear Sir:

This is a request under the Freedom of Information Act as amended (5 U.S.C. §552).

I write to request a copy of all files in the Federal Bureau of Investigation indexed or maintained under my name and all documents returnable by a search for documents containing my name. To assist you in your search, I have indicated my social security number and date and place of birth below my signature.

As you know, the amended Act provides that if some parts of a file are exempt from release that "reasonable segregable" portions shall be provided. I therefore request that, if you determine that some portions of the requested information are exempt, you provide me immediately with a copy of the remainder of the file. I, of course, reserve my right to appeal any such decisions.

If you determine that some or all of the requested information is exempt from release, I would appreciate your advising me as to which exemption(s) you believe covers the information which you are not releasing.

I am prepared to pay costs specified in your regulations for locating the requested files and reproducing them.

As you know, the amended Act permits you to reduce or waive the fees if that "is in the public interest because furnishing the information can be considered as primarily benefiting the public." I believe that this request plainly fits that category and ask you to waive any fees.

If you have any questions regarding this request, please telephone me at the above number.

As provided for in the amended Act, I will expect to receive a reply within ten working days.

Sincerely yours,
Name
Social Security Number
Date of Birth
Place of Birth

(Write — "Attention: Freedom of Information Act Unit" on envelope)

ADDRESSES

•FBI — Mr. Clarence Kelley, Director, Federal Bureau of Investigation, Washington, D.C. 20535 Att: Freedom of Information Unit

•CIA — Mr. Robert S. Young, Freedom of Information Coordinator, Central Intelligence Agency, Washington, D.C. 20505

•Justice Department — Howard Tyler, Jr., Office of the Deputy Attorney General, Department of Justice, Washington, D.C. 20530 Att: Freedom of Information Unit

•IRS — Chief Disclosure Staff, Internal Revenue Service c/o Ben Franklin Station, P.O. Box 388, Washington, D.C. 20044

•Civil Service Commission — Bureau of Personnel Investigations, U.S. Civil Service Commission, 1900 E Street, N.W., Washington, D.C. 20415.